

URBAN/MUNICIPAL
CA4 ON HBL A08
B91
1997

BY-LAWS OF THE CITY OF
HAMILTON

97-001 ...



CAY ON HBL A08
B51

BILL NO. A-1

BY-LAW NO. 97 - 001

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Carson	Northbound and Southbound	Landron
Landron	Westbound	Carson
Walnut	Northbound and Southbound	Forest
Ferguson	Northbound and Southbound	Forest."

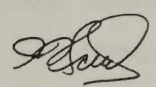
3. Schedule 23 (Hamilton Street Railway) of said By-law is hereby amended by adding thereto the following items, namely:-

"Inbound	Goulding, 30 feet south of San Greco (N/S)
Outbound	Harlowe, 346 feet west of Pritchard (M/B)."

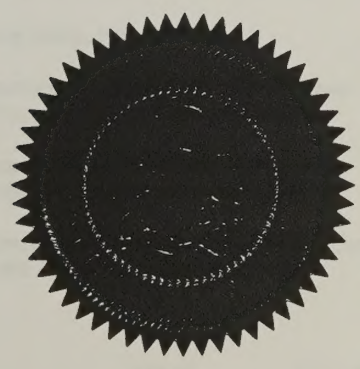
6. Schedule 35 (Wheelchair Loading Zones) of said By-law is hereby amended by adding thereto the following item, namely:-

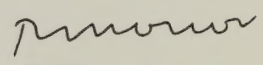
"Emerald	East	32 feet	216 feet north of Barton	8:00 a.m. - 8:00 p.m."
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PASSED this 28th day of January A.D. 1997.



CITY CLERK





MAYOR

BY-LAW NO. 97 - 002

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72, To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding thereto the following item, namely:-

"West 32nd	Both	Elmwood to Leslie	1 hr	8 a.m. - 6 p.m.	Mon - Fri."
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and by deleting therefrom the following items, namely:-

"West 32nd	Both	Bendamere to Elmwood	1 hr	8 a.m. - 6 p.m.	Mon - Fri
West 32nd	East	Bendamere to 121 feet north	1 hr	8 a.m. - 6 p.m.	Mon - Fri
West 32nd	West	Bendamere to 123 feet north	1 hr	8 a.m. - 6 p.m.	Mon - Fri
Picton	Both	Bay to MacNab	1 hr	Anytime."	

2. **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Daytona		East	West."
North leg of Delmar to the north end			

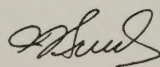
3. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Hughson	East	commencing 323 feet north of Robert and extending 24 feet northerly therefrom	Anytime
Beechwood	North	commencing 164 feet west of Lottridge and extending 20 feet westerly therefrom	Anytime
Ruth	East	commencing 89 feet south of Case and extending 21 feet southerly therefrom	Anytime."

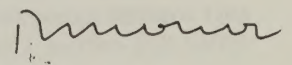
and by deleting therefrom the following items, namely:-

"Balsam	West	commencing 189 feet north of Afton and extending 16 feet northerly therefrom	Anytime
Balsam	East	commencing 174 feet north of Afton and extending 19 feet northerly therefrom	Anytime
Rebecca	North	commencing at a point 84 feet west of Cathcart to a point 19 feet westerly therefrom	Anytime."

PASSED this 28th day of January A.D. 1997.



CITY CLERK

MAYOR



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THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-003

TO STOP-UP, CLOSE AND SELL THAT PORTION OF UPPER HORNING ROAD FROM OMNI BOULEVARD TO UPPER HORNING ROAD, DESIGNATED AS PARTS 2, 3, 4, 5 & 6 ON PLAN 62R-14003, AND THAT PORTION OF THE ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 54 & 55, CONCESSION 3 IN THE GEOGRAPHIC TOWNSHIP OF ANCASTER DESIGNATED AS PART 1 ON PLAN 62R-14003. (R-97-01)

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 43 of the 16th Report of the Transport and Environment Committee on 1996 December 10, authorized the City to stop-up, close and sell that portion of Upper Horning Road from Omni Boulevard to Upper Horning, and a portion of the original road allowance between Lots 54 & 55 in the geographic Township of Ancaster.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. To stop-up, close and sell that portion of Upper Horning Road from Omni Boulevard to Upper Horning, designated as Parts 2, 3, 4, 5 & 6 on Plan 62R-14003, and that portion of the original road allowance between Lots 54 & 55, Concession 3 in the geographic Township of Ancaster designated as Part 1 on Plan 62R-14003. (R-97-01)

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Are hereby authorized.

2. That an offer to purchase the northerly half of Upper Horning Road described as Parts 3 & 5 be extended to Dicenzo Construction Company Limited and Sunshine Construction Incorporated.
3. That an offer to purchase the southerly half of Upper Horning Road described as Parts 2, 4 & 6 on Plan 62R-14003 and that portion of the original road allowance between Lots 54 & 55 in the geographic Township of Ancaster described as Part 1 on Plan 62R-14003 be extended to Frank Mulas Construction Limited.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-003

TO STOP-UP, CLOSE AND SELL THAT PORTION OF UPPER HORNING ROAD FROM OMNI BOULEVARD TO UPPER HORNING ROAD, DESIGNATED AS PARTS 2, 3, 4, 5 & 6 ON PLAN 62R-14003, AND THAT PORTION OF THE ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 54 & 55, CONCESSION 3 IN THE GEOGRAPHIC TOWNSHIP OF ANCASTER DESIGNATED AS PART 1 ON PLAN 62R-14003. (R-97-01)

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 43 of the 16th Report of the Transport and Environment Committee on 1996 December 10, authorized the City to stop-up, close and sell that portion of Upper Horning Road from Omni Boulevard to Upper Horning, and a portion of the original road allowance between Lots 54 & 55 in the geographic Township of Ancaster.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. To stop-up, close and sell that portion of Upper Horning Road from Omni Boulevard to Upper Horning, designated as Parts 2, 3, 4, 5 & 6 on Plan 62R-14003, and that portion of the original road allowance between Lots 54 & 55, Concession 3 in the geographic Township of Ancaster designated as Part 1 on Plan 62R-14003. (R-97-01)

City of Hamilton

Regional Municipality of Hamilton-Wentworth

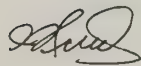
Are hereby authorized.

2. That an offer to purchase the northerly half of Upper Horning Road described as Parts 3 & 5 be extended to Dicenzo Construction Company Limited and Sunshine Construction Incorporated.
3. That an offer to purchase the southerly half of Upper Horning Road described as Parts 2, 4 & 6 on Plan 62R-14003 and that portion of the original road allowance between Lots 54 & 55 in the geographic Township of Ancaster described as Part 1 on Plan 62R-14003 be extended to Frank Mulas Construction Limited.

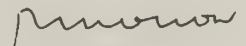
By-Law to stop-up, close and sell that portion of Upper Horning Road from Omni Boulevard to Upper Horning, and a portion of the original road allowance between Lots 54 & 55 in the geographic Township of Ancaster. (R-97-01)
By-Law 97-

4. In the event that the Diconzo Construction Company Limited does not accept the offer in Item 2 within thirty (30) days of the passing of this By-Law, that the soil and freehold of certain City Lands described as Part 3 & 4 on Plan 62R-14003 being part of Upper Horning Road be offered to Diconzo Construction Company Limited and Sunshine Construction Incorporated for the sum of \$27,495.00 in accordance with the provisions of the offer to purchase dated 1996 December 9; subject to the Highway Closing and Sale Provisions in the Registry Act and the Municipal Act.
5. In the event that Frank Mulas Construction Limited does not accept the offer in Item 3 within thirty (30) days of passing of this By-Law, that the soil and freehold of certain City Lands described as Part 1 on Plan 62R-14003 being part of the original road allowance between Lots 54 & 55 in the geographic Township of Ancaster and Parts 2, 5, & 6 on Plan 62R-14003 being part of Upper Horning Road be offered to Frank Mulas Construction Limited for the sum of \$42,939.00 in accordance with the provisions of the offer to purchase dated 1996 December 10; subject to the Highway Closing & Sale Provisions in the Registry Act and the Municipal Act.
6. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this 28th day of January A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 004

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK CX, PLAN M-89, AND
PARTS 2, 5, 12, 14 & 15 ON PLAN 62R-12439
INTO CARSON DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Carson Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Carson Drive.

All of Block CX on Plan M-89.

Part of Block "DX" on Plan M-207 designated as Part 2 on 62R-12439.

Part of Lot 3 Concession 6 in the geographic Township of Barton designated as Parts 5, 12, 14, & 15 on Plan 62R-12439

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

28th

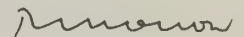
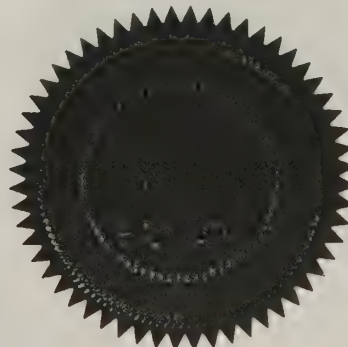
day of

January

A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 005

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 13, ON PLAN 62M-706
INTO PARIS AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Paris Avenue within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway, to form part of Paris Avenue.

All of Block 13, on Plan 62M-706.

City of Hamilton

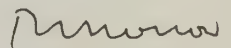
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 28th day of January A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-006

TO INCORPORATE CITY LAND
DESIGNATED AS PART 10 ON PLAN 62R-12439, BLOCK 34
ON PLAN 62M-461 AND PART 1 ON PLAN 170971 L.T.
INTO KINGSBERRY STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Kingsberry Street within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Kingsberry Street.

All of Block 34, on Plan 62M-461.

Part of Lot 3, Concession 6 in the geographic Township of Barton designated as Part 10 on Plan 62R-12439 and Part 1 on Plan 170971 L.T.

City of Hamilton

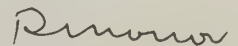
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 28th day of January A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 007

TO INCORPORATE CITY LAND
DESIGNATED AS PART 8 ON PLAN 62R-12349 AND
PARTS 1, 2 & 3 ON PLAN 263314 L.T.
INTO PALACE BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Palace Boulevard within its limits, the land described below;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Palace Boulevard.

Part of Lot 3, Concession 8 in the geographic Township of Barton designated as Part 8 on Plan 62R-12439 and Parts 1, 2, & 3 on Plan 263314 L.T.

City of Hamilton

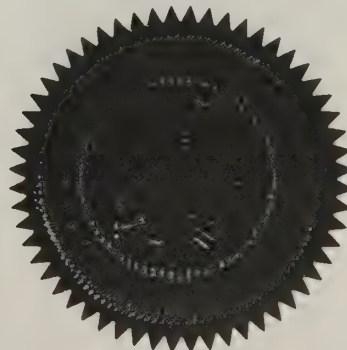
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 28th day of January A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-008

TO INCORPORATE CITY LAND
DESIGNATED AS PART 3, ON PLAN 62R-10945
INTO DICENZO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Dicenzo Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Dicenzo Drive.

Part of Lot 14 Concession 8, in the geographic Township of Barton designated as Part 3 on Plan 62R-10945.

City of Hamilton

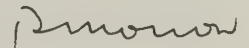
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 28th day of January A.D. 1997



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97- 010

To Amend:

By-law No. 86-99

As Amended by By-laws No. 92-056 and 96-195

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-99, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-31, passed on the 10th day of December 1985, known as the "Ottawa Street Business Improvement Area", more particularly described in By-law No. 86-31, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-056, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-99;

AND WHEREAS By-law No. 96-195, passed on the 26th day of November 1996, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 96-195;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 7 of the 20th Report of the Planning and Development Committee at its meeting held on the 10th day of December 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

Gord Culshaw
Mary Keir
John Gut
Tony Bifano
Greta Munt
Rosemary Young
Daniel Kwiatkowski
Toby Yull

Culshaw Cakes
Surplus Plus
Textile Centre
Anton Video
Greta's Flair
Wentworth Paints
Beach Road Meats
Toby's Interior Design

2. By-law No. 96-195 is hereby repealed in its entirety.
3. In all other respects, By-law No. 86-99, as amended, is hereby confirmed, unchanged.

PASSED this 28th day of

January

A.D. 1997



CITY CLERK



MAYOR

(1996) 20 R.P.D.C. 7, December 10

The Corporation of the City of Hamilton

BY-LAW NO. 97- 011

To Amend:

By-law No. 86-73

As Amended by By-laws No. 92-058 and 95-046

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Hamilton Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-73;

AND WHEREAS By-law No. 95-046, passed on the 14th day of February 1995, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-046;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 10 of the 19th Report of the Planning and Development Committee at its meeting held on the 26th day of November 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

J. Livingston
R. Harris
C. Jamieson

Livingston Furs
Harris and Henderson
The Right House

A. Peckham	The Royal Bank
H. Woods	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel
D. Brocker	Royal Connaught Howard Johnson Hotel
P. Pappas	Joe Buddinski's
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing

2. By-law No. 95-046 is hereby repealed in its entirety.
3. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this 28th day of January A.D. 1997



CITY CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 012

To Amend:

By-law No. No. 87-308

As Amended by By-laws No. 92-079 and 95-044

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE BARTON GENERAL BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 87-308;

AND WHEREAS By-law No. 95-044, passed on the 14th day of February 1995, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-044;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 11 of the 19th Report of the Planning and Development Committee on the 26th day of November 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

K. Cody
M. Tollis
J. Hilger
K. Jokic

Codys Home Décor Inc.
The Riviera Banquet Centre
Ways to Wisdom
Bank of Montreal

3. By-law No. 95-044 is hereby repealed in its entirety.
4. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

PASSED this 28th day of

January

A.D. 1997



CITY CLERK



MAYOR

(1996) 19 R.P.D.C. 11, November 26

The Corporation of the City of Hamilton

BY-LAW NO. 97- 013

To Amend:

By-law No. 86-212

As Amended by By-laws No. 92-057 and 95-041

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-212, passed on the 25th day of June 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 76-19, passed on the 27th day of January 1976, known as the "International Village Business Improvement Area", more particularly described in By-law No. 76-19, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-057, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for editorial amendments to By-law No. 86-212;

AND WHEREAS By-law No. 95-041, passed on the 14th day of February 1995 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-041;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 12 of the 19th Report of the Planning and Development Committee on the 26th day of November 1996, directed that the composition of the Board of Management be further varied, in accordance with Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Schedule "B" referred to in clause 2(b) of By-law No. 86-212, as amended, is repealed the following substituted therefor:

Wolfgang Schoen
Gord Thompson
John Kenyon
Paul Kircos

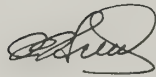
The Black Forest Inn
Thompson Jewellery and Pawn
Payne Music
Alexanian Carpets

2. By-law No. 95-041 is hereby repealed in its entirety.
3. In all other respects, By-law No. 86-212, as amended, is hereby confirmed, unchanged.

PASSED this 28th day of

January

A.D. 1997



CITY CLERK



MAYOR

(1996) 19 R.P.D.C. 12, November 26

The Corporation of the City of Hamilton

BY-LAW NO. 97-014

To Amend:

By-law No. 92-078

As Amended by By-law No. 95-043

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 92-078, passed on the 10th day of March 1992, provided for a Board of Management of the Improvement Area designated by By-law No. 90-197, passed on the 26th day of June 1990, known as the "Main West Esplanade Business Improvement Area", more particularly described in By-law No. 90-197, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 95-043, passed on the 14th day of February 1995 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-043;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 13 of the 19th Report of the Planning and Development Committee on the 26th day of November 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 92-078 is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 92-078 is repealed and the following substituted therefor:

K. Mullholland
Izabela Kobylanski
M. Farrugia
A. Perniac
J. Castellano
J. Morrison
M. Barnard

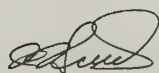
Taco Bell
Izzy's Restaurants
Calla Decor and Design
Lorne Haverty Ltd.
Castellano Real Estate
Royal Bank
Barnard & Speziale Design
Associates Inc.

3. By-law No. 95-043 is hereby repealed in its entirety.
4. In all other respects, By-law No. 92-078 is hereby confirmed, unchanged.

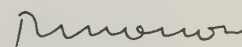
PASSED this 28th day of

January

A.D. 1997



CITY CLERK



MAYOR

(1996) 19 R.P.D.C. 13, November 26

The Corporation of the City of Hamilton

BY-LAW NO. 97- 015

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS BOUNDED BY CANNON STREET, QUEEN STREET, HUNTER STREET,
WALNUT STREET, JACKSON STREET, FERGUSON AVENUE, MAIN STREET,
WELLINGTON STREET, REBECCA STREET AND MARY STREET**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 19th Report of the Planning and Development Committee at its meeting held on the 26th day of November 1996, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to the elimination of parking requirements for residential uses, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 22 - Restricted Areas By-laws Repealed of Zoning By-law No. 6593 is amended to include a new schedule as follows:

"Schedule "K" - Downtown Residential Parking Area"

2. Section 18A. of Zoning By-law No. 6593 is amended by adding thereto the following section:

"18A. (42) Except for residential care facilities and short term care facilities, where residential uses mentioned in paragraph 1 of Table 1 and Table 3 are located in the area shown on Schedule "K", no parking and loading will be required for residential uses established within the period between November 1, 1996 and September 1, 1999."

3. The above-captioned lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, shall be exempt from the parking and loading requirements of Section 18A. of Zoning By-law No. 6593, as amended, for a period not to exceed three years.

4. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

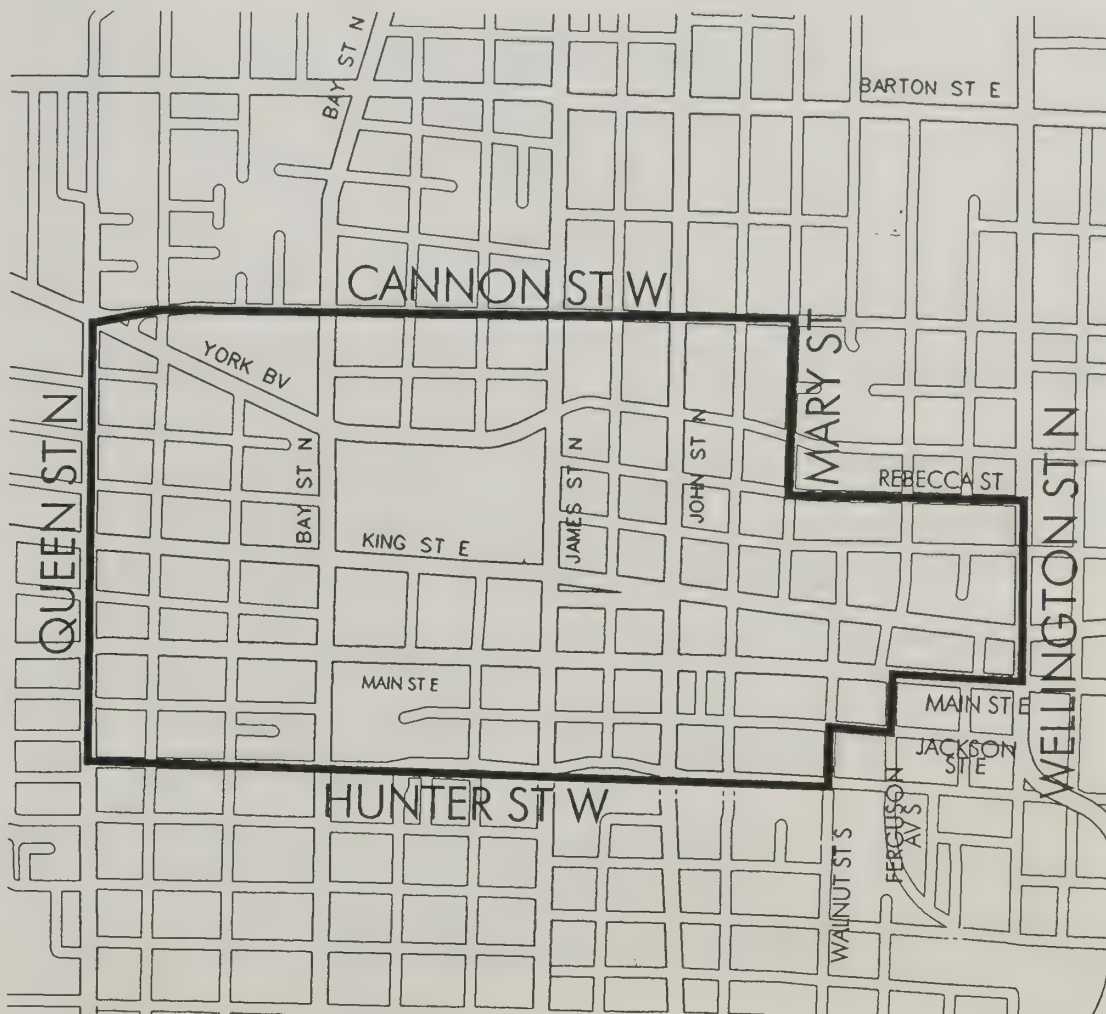
PASSED this 28th day of January A.D. 1997



CITY CLERK

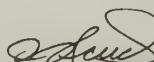


MAYOR

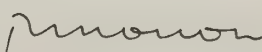


NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-015
Passed the 28th day of January, 1997.



Clerk



Mayor

City of Hamilton

Schedule "A"

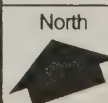
Map Forming Part of
By-Law No. 97-015
to Amend By-Law No. 6593

Planning and Development Department

Legend



No Parking and loading required
for Residential Development



North

Scale
NOT TO SCALE

Date
January 1997

Reference File No.
C196-1

Drawn By
W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 016

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 130-136 KENILWORTH AVENUE NORTH

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

161. Lands located at Municipal Nos. 130-136 Kenilworth Avenue North, shown on Appendix 161 hereto annexed and forming part of this by-law.

2. Appendix 161 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 28th day of January A.D. 1997.

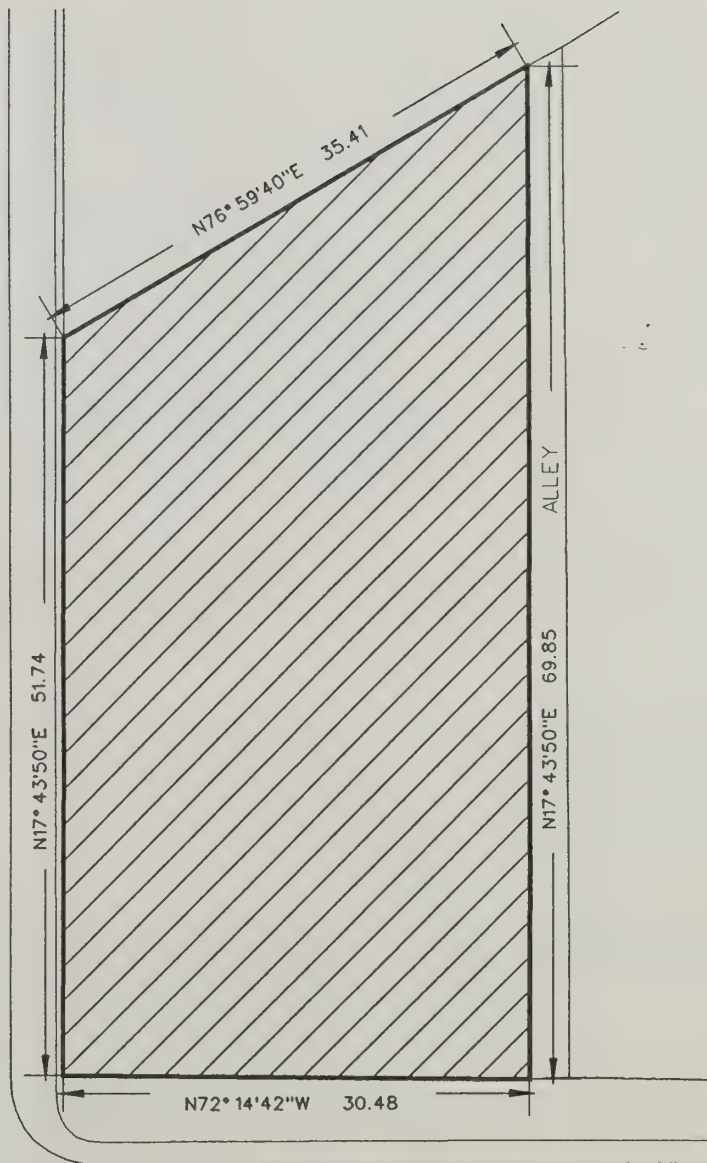


CITY CLERK



MAYOR

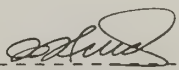
KENILWORTH AVENUE NORTH

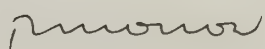


ROXBOROUGH AVENUE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-⁰¹⁶
Passed the ^{28th} day of January, 1997.


Clerk


Mayor

City of Hamilton

Appendix 161
to the By-Law No. 79-275
as Amended by By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control
pursuant to section 41 of the
Planning Act, R. S. O. 1990.

North



Scale
NOT TO SCALE

Date
January 1997

Reference File No.
DA-96-23

Drawn By
W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 97— 017

To Remove
Land within the "Rymal Estates" Subdivision, Plan 62M-679
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, shall not apply to the following lands:

Lots 67 to 78 inclusive within Registered Plan Number 62M-679, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2.
 - (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
 - (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
 - (c) This By-law shall expire on May 1, 1997.

PASSED this *28th* day of

January

A.D. 1997.



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97-018

To Extend By-law No. 96-174

Respecting:

**LAND WITHIN THE "ALLISON ESTATES - PHASE 1, STAGE 2" SUBDIVISION,
PLAN 62R-13933**

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 96-174 on October 29, 1996 to remove the lands described in section 1 thereof from part lot control, which by-law shall expire on February 1, 1997;

AND WHEREAS a request has been made for an extension of the time period specified for the expiration of By-law No. 96-174;

AND WHEREAS approval under subsection (7.1) is not required for an extension in accordance with subsection (7.4);

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

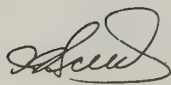
1. Subsection 2.(c) of By-law No. 96-174 is hereby repealed and the following substituted therefor:

"(c) This By-law shall expire on April 1, 1997."

2. In all other respects, By-law No. 96-174 is hereby confirmed, unchanged.

3. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 96-174.

PASSED this 28th day of January A.D. 1997.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON**BY-LAW NO.97- 019****TO AUTHORIZE AN EXTENSION AGREEMENT****FOR PAYMENT OF REALTY TAX ARREARS**

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
- (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
- (c) that any person may pay the Cancellation Price at any time.
- (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
- (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
- (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 28th day of January 1997, A.D.,



CITY CLERK



MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	229 SHERMAN AVENUE SOUTH
	SERIAL NUMBER	03 02510 4730
	BRIEF LEGAL DESCRIPTION	PLAN 305 PART LOT 1
	DATE OF REGISTRATION	OCTOBER 24, 1996
	TAX ARREARS CERTIFICATE #	LT424365
	REDEMPTION DATE	OCTOBER 24, 1997
	TOTAL ARREARS	\$7,150.16

BY-LAW NO. 97 - 020

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF JANUARY A.D., 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of January A.D. 1997



CITY CLERK



MAYOR

CAY ON HBC A08
B91

BILL NO. 4-9

BY-LAW NO. 97 -021

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding to Part 2(b) thereof the following item, namely:-

"Robert Both James to Hughson."

and by deleting from Part 3(b) thereof, the following items, namely:-

"Robert Both James to Hughson."

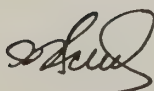
2. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following item, namely:-

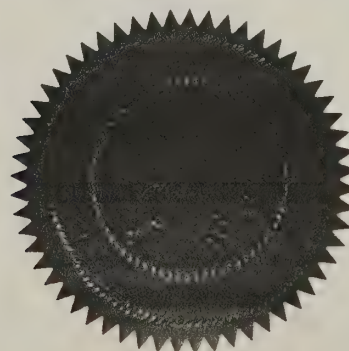
"Fairleigh	West	King to Wilson	11 a.m. - 3 p.m.	3rd Tues Each Month APRIL - NOV
Coronation	South	Parkdale to 88 feet westerly	9 a.m. - 4 p.m.	Mon - Fri
St. Joseph's	North	commencing 332 feet east of John and extending 30 feet easterly therefrom		Anytime
St. Joseph's	North	commencing 200 feet east of John and extending 88 feet easterly therefrom		Anytime
Rennie	North	commencing 94 feet east of Tate and extending easterly to Woodward		Anytime
Rennie	North	Parkdale to Tate		Anytime."

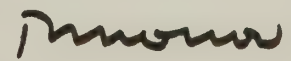
and by deleting therefrom the following item, namely:-

"Rennie	North	Parkdale to Woodward	Anytime
St. Joseph's	North	200 feet east of John to 30 feet easterly	Anytime
St. Joseph's	North	From 229 ft. east of John to 58 ft. easterly	Anytime."

PASSED this 11th day of February A.D. 1997.


CITY CLERK




MAYOR

BY-LAW NO. 97 - 022

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

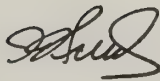
1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Cadham	Westbound	Upper Gage
Terni	Eastbound	Upper Gage."

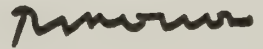
2. Schedule 28 (No Stopping Areas) is hereby amended by adding thereto the following item, namely:-

"Rennie	North	Tate to 54 feet easterly	Anytime."
---------	-------	--------------------------	-----------

PASSED this 11th day of February A.D. 1997.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-023

TO INCORPORATE CITY LAND
DESIGNATED BLOCKS 53, 58 & 59 ON
PLAN 62M-743
INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Acadia Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Acadia Drive.

All of Blocks 53, 58 & 59 on Plan 62M-743.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of February A.D. 1997



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97 - 025

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED SOUTH OF KORDUN STREET AND WEST OF
UPPER PARADISE ROAD**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District, to "C"-'H' (Urban Protected Residential, etc. - Holding) District,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol referred to in section 1 shall be removed conditional upon the availability of all municipal services servicing the subject lands as the City deems necessary to service the proposed development; and,

- (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "C" District provisions.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1372.

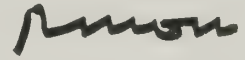
4. Sheet No. W-37C of the District Maps is amended by marking the lands referred to in section 1.(a) of this by-law, S-1372.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th day of February A.D. 1997



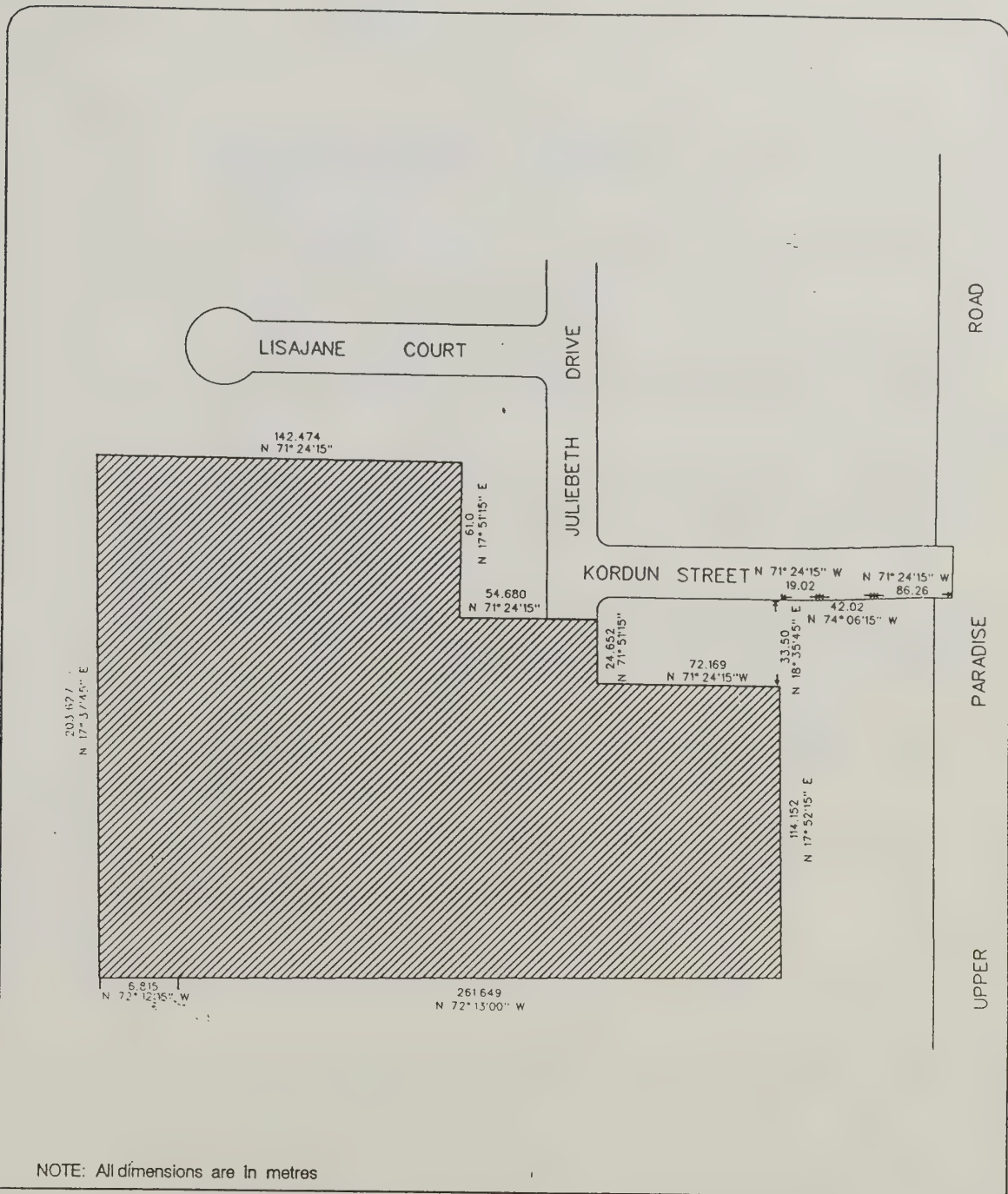
CITY CLERK



MAYOR

(1996) 19 R.P.D.C. 1, November 20
1099689 Ontario Inc. (Micor Developments), Owner
Amended ZAC-96-13





This is Schedule "A" to By-Law No. 97-025
 Passed the 11th day of February, 1997.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 97-025

to Amend By-Law No. 6593

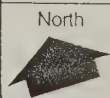
Planning and Development Department

Legend

Change in zoning from



"AA" (Agricultural) District to:
 "C"-H' (Urban Protected Residential,
 etc. - Holding) District.



North

Scale
 NOT TO SCALE

Date
 Jan 1997

Reference File No.
 ZAC-96-13

Drawn By
 J.M.

The Corporation of the City of Hamilton

BY-LAW NO. 97-026

**A BY-LAW TO REGULATE THE SIZE, USE, LOCATION
AND MAINTENANCE OF MOBILE SIGNS ON PRIVATE
PROPERTY WITHIN THE CITY OF HAMILTON**

WHEREAS Section 210, paragraph 146 of the Municipal Act R.S.O. 1990, c.M. 45, authorizes a council of a local municipality to pass by-laws for prohibiting or regulating signs and other advertising devices or any class or classes thereof,

AND WHEREAS the Council of The Corporation of the City of Hamilton has deemed it desirable to enact a by-law regulating the size, use, location and maintenance of mobile signs on private property for the purpose of ensuring that mobile signs minimize hazards to pedestrian and vehicular traffic,

AND WHEREAS Council has deemed it desirable to enact a by-law which imposes restrictions on the number of mobile sign permits that will be issued and to limit the amount of time a mobile sign can be placed in one location for the purpose of maintaining and preserving the aesthetic integrity of the urban landscape,

AND WHEREAS Council is empowered under Section 326 of the Municipal Act, R.S.O. 1990, c.M.45, to require compliance with this by-law, and upon default of such compliance, may carry out such corrective action as is deemed appropriate and may recover the expenses incurred in doing so in like manner as municipal taxes,

AND WHEREAS Council is empowered under Section 320 of the Municipal Act, R.S.O. 1990, c.M.45 to impose fines for the contravention of any by-law,

NOW THEREFORE the Council for The Corporation of the City of Hamilton ENACTS as follows:

ADMINISTRATION AND GENERAL PROVISIONS

Definitions

1. In this By-law,
 - (a) "agent" means a person designated by another person to act on his behalf;
 - (b) "applicant" means a person applying for a mobile sign permit under this By-law;
 - (c) "business" means any one activity, dealing, occupation or trade of either a commercial, industrial or professional endeavour as carried out or engaged in, at an establishment;
 - (d) "Chief Building Official" means the person appointed by the Council as the Chief Building Official for the City of Hamilton and includes his designate;
 - (e) "City" means the City of Hamilton in the Regional Municipality of Hamilton-Wentworth;
 - (f) "commercial district" means property that is zoned commercial as defined under City of Hamilton Zoning By-law 6593 as amended;
 - (g) "commercial or industrial complex" includes a shopping centre, shopping mall, shopping plaza, strip plaza, mall or place and is a group of three or more commercial uses excluding professional and administrative offices;
 - (h) "Corporation" means The Corporation of the City of Hamilton;
 - (i) "Council" means the Council for The Corporation of the City of Hamilton;
 - (j) "daylight triangle" means an area of a corner lot which is determined after the side lot line adjacent to the street and the street lot line have been extended to their point of intersection and by measuring from the point of intersection of the two lot lines a distance of 9.0m, along each lot line and joining such points with a straight line. The triangularly-shaped land between the point of intersection of such lot lines and the straight line joining the points at the designated distance along each such lot line shall be known as the "daylight triangle";
 - (k) "downtown core" means the area shown on Schedule "A" of this By-law;
 - (l) "electronic variable message centre (EVMC)" means an illuminated sign or part thereof which is computer controlled and which displays information to the public or attracts attention to the message by way of a pre-arranged or variable sequence of electronically generated letters, words, light patterns or shapes;

- (m) "erect" includes the placing of, arranging for the placing of, the renting of, or the leasing of;
- (n) "flashing mobile sign" means a mobile sign equipped with an intermittent or flashing light source;
- (o) "street lot line" means the line that divides a lot from a street, but not a lane or alleyway;
- (p) "grade" means the average level or elevation of the finished surface of the ground adjoining a building at all of the exterior walls or the mobile sign structure at the point of contact with the ground but shall not include any artificial embankment or planter box;
- (q) "hiatus period" means a time period equal to fifteen (15) days. A hiatus period shall follow the placement of each and every mobile sign on a property in accordance with this by-law;
- (r) "illumination" means lighting of the sign, in whole or in part by artificial means. Internal illumination means lighting the sign face with a light source located within the sign; external illumination means having a light source exterior to the sign and on, or directed at the sign, and flashing illumination means illumination that varies and is perceived to vary in intensity or design at periodic intervals;
- (s) "industrial district" means property that is zoned industrial and defined under City of Hamilton Zoning By-law 6593 as amended;
- (t) "message board" means that part of a sign on which the copy, characters, symbols or letters used to create the sign message are displayed, and "display surface" shall have a similar meaning;
- (u) "mobile sign" means a sign mounted on a trailer or other free standing structure which is designed in such a manner so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principle use of the vehicle is the transportation of people, goods or other materials;
- (v) "mobile sign permit" means a mobile sign permit issued by the Chief Building Official or his designate pursuant to the provisions of this By-law for the legal display of a mobile sign;
- (w) "motorized vehicle" means an automobile, truck, motorcycle or similar self-propelled means of transport but does not include a trailer;
- (x) "multiple address location" means a location where two or more municipal addresses are contained in the same commercial or industrial complex or place;
- (y) "permit holder" means a person who holds a valid mobile sign permit issued under this By-law;
- (z) "person" means an individual, firm, corporation, association, business or partnership and includes an owner and lessee of a property;
- (aa) "premises" means specific property, and includes all buildings and accessory structures thereon;
- (bb) "property" means and refers to the location where a sign is to be positioned for display, or is displayed, or can be a reference to a specific street address of a business and includes a multiple address location;
- (cc) "Regional Council" means the Council for The Regional Municipality of Hamilton-Wentworth;
- (dd) "sign" means any medium or device including its structure and other component parts which is used or capable of being used to attract attention to a specific matter other than itself, for identification, information, business promotion or advertising purposes;
- (ee) "sign area" means the number of square metres on the surface of a sign including the border and/or frame, and where there is no border shall include all the area of the surface lying within the extremities of the smallest geometric form which can wholly enclose the surface area of the sign;
- (ff) "sign height" means the vertical distance measured from the proposed or finished grade immediately below the sign to the highest extremity of the sign including the border or frame; and,
- (gg) "unsafe sign" means a sign which is either structurally unsafe, or which constitutes a fire or safety hazard, or impedes the movement of vehicular or pedestrian traffic, or which would otherwise constitute a risk to the safety of persons or premises.

Administration

2. The Chief Building Official or his designate shall:
 - (a) receive and process all applications for mobile sign permits required under this By-law;
 - (b) administer the issuance of mobile sign permits in accordance with provisions of this By-law;
 - (c) maintain and keep records of all applications received for mobile sign permits and records of all mobile sign permits issued;
 - (d) generally perform administrative functions incidental and necessary to the due administration and enforcement of this By-law.

Mobile Sign Permits

3. No person or his agent shall erect, display or otherwise use a mobile sign, without first obtaining a mobile sign permit as provided by this By-law.
4. A person or his agent, may obtain a mobile sign permit if:
 - (a) he completes an application form provided by the Chief Building Official or his designate;
 - (b) he files, as may be required by the Chief Building Official, in duplicate, a sketch of sufficient detail and quality as is necessary to ascertain whether or not the mobile sign will be in compliance with this By-law with accurate measurements of distances showing the intended location of the mobile sign and from that location the:
 - (i) distance to the nearest street lot line;
 - (ii) distance to the nearest edge of pavement of the nearest roadway;
 - (iii) distance to the nearest edge of pavement at the intersection of two or more streets;
 - (iv) distance to the nearest edge of the nearest mobile sign;
 - (v) distance to the nearest edge of a building;
 - (vi) distance to the nearest residential property; and
 - (c) he files, as may be required by the Chief Building Official, measurements of the size of the mobile sign and it's supporting framework.
5. The number of days that a mobile sign is erected or displayed, shall be determined from the date and including the day of permit issuance, or date of erection if the mobile sign was erected prior to permit issuance.
6. The Chief Building Official or his designate may require a person, or his agent to provide proof of interest either as a lessee, renter, tenant or owner of the property on which the mobile sign is to be located, and/or a legal survey of the property on which the mobile sign is located or is intended to be located.
7. At any one property a maximum of two (2) mobile signs may be erected at any one time provided that there is a minimum distance of 30 meters between each mobile sign on the same property in accordance with Section 8.
8. No mobile sign permit shall be issued for a property at a municipal address or location where a hiatus period has not transpired.
9. No person shall make application for a mobile sign permit who is not the owner, or the authorized agent of the owner of the property on which the mobile sign is to be placed.
10. No person, or his agent shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a mobile sign permit, or revision thereto.
11. No person, or his agent shall apply for or receive mobile sign permits which total more than 360 days for any property within any one (1) calendar year in accordance with sections 7 and 8 above.
12. Applications will be processed in order of date and time received but no permit will be issued for a property which already has a mobile sign permit and until that mobile sign permit and hiatus period have expired.

13. A person or his agent or a permit holder may erect, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign where the sign is not in the "downtown core" (as defined on Schedule "A" to this By-law) and:
 - (a) is located on property which is zoned as:
 - (i) a "commercial district" including:
 1. the "G" Districts including "G", "G-1", "G-2" and "G-4" [except "G-3" (Public Parking Lot) District]; and
 2. the "H" and "HH" Districts; or
 - (ii) an "industrial district" including:
 1. the "J" and "JJ" Districts;
 2. the "K" and "KK" Districts; and
 3. the "M" Districts, including "M-11", "M-12", "M-13", "M-14", and "M-15";
 - (b) notwithstanding (a) above, is located in a City owned park and is being used in conjunction with a City of Hamilton or Regional Council approved special event;
 - (c) is in good repair and has not become unsafe, unsightly or dangerous;
 - (d) is situated at grade;
 - (e) where it is electrically illuminated, has Ontario Hydro safety code approval;
 - (f) where it is utilizing electrical power, uses only an electrical cord that has C.S.A. approval;
 - (g) is located on private property and is not located on a road allowance;
 - (h) where it is located within 100 feet (30.5 metres) of a residential zone, is equipped with a timer to turn off the light source in order to eliminate any annoyance to persons in the adjoining residential zones between the hours of 10:00 P.M. and 8:00 A.M.;
 - (i) has the name and telephone number of the owner of the mobile sign affixed to the mobile sign at a clearly visible location;
 - (j) has not greater than 5.6m² of sign area per face with no one dimension greater than 2.4m; and
 - (k) has a sign height that does not exceed 2.4m.
14. No person, or his agent or permit holder, shall erect, permit to be erected, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign on lands or buildings owned, rented, leased or occupied by them:
 - (a) for more than 60 consecutive days;
 - (b) for more than 180 calendar days per year;
 - (c) on a property where a previous mobile sign permit has expired and no further permits are available in accordance with subsections (a) and (b) above;
 - (d) the content of which would indicate a contravention of any zoning or other by-law, Act or regulation enforceable in the municipality;
 - (e) contrary to the approved location on a sketch, and contrary to information on the application, in respect of which the mobile sign permit was issued;
 - (f) so as to obstruct openings required for light and ventilation, any required means of egress or required access for fire fighting;
 - (g) at any location where the sign obstructs the sightlines and view or any unimpeded mobility of any pedestrian or driver of a motor vehicle or obstructs the visibility of any traffic sign or device;
 - (h) which obstructs or otherwise interferes with an exit door or fire escape, fire exit route, fire hydrant, or yard hydrant so as to prevent or impede the free access of emergency vehicles and personnel to emergency equipment or to any part of a building requiring such access;
 - (i) which obstructs or otherwise impedes the parking of a motor vehicle or is situated in a required parking or manoeuvring area;
 - (j) with electrical wiring in the path of vehicular or pedestrian traffic;
 - (k) which has flashing or moving lights;
 - (l) which has moving, spinning or rotating parts or has any mechanical or electronic device to provide or simulate motion;
 - (m) which in whole, or in part is an electronic variable message centre;
 - (n) which emits illumination resembling an emergency light or traffic regulating device;
 - (o) prior to the issue date set out in the mobile sign permit;
 - (p) which would be an unsafe sign;
 - (q) within 50 feet (15 metres) of the closest edge of the nearest mobile sign;
 - (r) within 30 feet (9 metres) of the intersection of two streets;
 - (s) within 50 feet (15 metres) of a residential district;

- (t) where the setback from property lines to the mobile sign is less than 1.5 metres;
 - (u) where the mobile sign is elevated on any temporary or permanent object which is being used as the base for a mobile sign or part of a mobile sign structure;
 - (v) where the property is zoned anything other than that indicated in section 13;
 - (w) where the property on which the mobile sign is located is zoned "residential";
 - (x) where the property on which the mobile sign is situated is located, in the downtown core as shown on Schedule "A" of this By-law;
 - (y) where two mobile sign permits have already been issued for the property and have not expired;
 - (z) where a hiatus period has not expired;
 - (aa) where the mobile sign would not comply with this or any other by-law;
 - (bb) which has more than two sign faces or any one sign face which exceeds 5.6m² in area or has any one dimension that is greater than 2.4m;
 - (cc) which has a maximum height measured from grade greater than 2.4m; and
15. A person or his agent shall place the mobile sign at the municipal address of the person named on the application.
 16. The permit fee as set out in Schedule "B" shall be submitted with each application for a mobile sign permit.
 17. The permit fee as set out in Schedule "B" does not apply to an application for a Council or Regional Council approved special event.

REVOCATION OF A PERMIT

18. A mobile sign permit may be revoked by the Chief Building Official or his designate under the following circumstances:
 - (a) where the mobile sign does not conform to this By-law and amendments thereto;
 - (b) where the mobile sign does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the sign is situated;
 - (c) where the mobile sign permit has been issued as the result of false, incorrect or misleading statements;
 - (d) where the mobile sign permit has been issued in error by the Chief Building Official or his designate.

VARIANCES

19. (a) Where the applicant or person in control of a sign for any reason is unable to comply with the provisions and regulations under this by-law, such person may apply to the Council for a minor variance from the provisions and regulations of this by-law.

The Council shall hear all such applications and may authorize minor variances from the provisions and regulations of this by-law.

- (b) All applications for a minor variance shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of three hundred dollars (\$300.00). The variance fee shall not be refundable.

PENALTIES AND ENFORCEMENT

Removal of Illegal Mobile Signs

20. (a) When a mobile sign is erected or displayed in contravention of the provisions of this By-law, the mobile sign shall be removed immediately without notice, where located on, over, partly on, or partly over, property owned by or under the jurisdiction of the City of Hamilton;
- (b) Where a mobile sign is located on property other than property owned by or under the jurisdiction of the City of Hamilton, the Chief Building Official or his designate may forward a notice, by personal service or regular post, to the Lessee or owner of the sign, or their agents, or to the person or agent having the use or

- major benefit of the mobile sign, requiring that the mobile sign be permanently removed within the time specified in the Notice and thereafter not replaced with any mobile sign in contravention of this By-law;
- (c) If the Notice is not complied with the Chief Building Official or his designate may require that the municipality, its employees, or an independent contractor enter upon the land and remove such mobile sign. The owner of the land upon which the mobile sign was located shall pay for any costs or expenses of the City. Such costs or expenses may be recovered in like manner as municipal taxes under the provisions of Section 326 of the Municipal Act, R.S.O. 1990, c.M.45 as amended from time to time;
 - (d) where a mobile sign is deemed by the Chief Building Official or his designate to be in such a condition or location that it is or may be a hazard to the public, the Chief Building Official or his designate may either serve written notice to the owner or tenant of the property on which, or in front of which such mobile sign is located, to remove such mobile sign or make the same safe, or without giving notice to the owner or tenant of the property on which such mobile sign is located, cause such mobile sign or structure to be removed;
 - (e) any sign removed pursuant to this Section may be deposited on the property on which or in front of which it was located or removed;
 - (f) mobile signs removed shall be stored by the City for a period of time of not more than thirty (30) days, during which time the owner or his agent may be entitled to redeem such mobile sign upon the payment to the City of a one hundred dollar (\$100.00) fee in addition to any applicable costs or expenses referred to in subsection (c) above;
 - (g) where a mobile sign has been removed by the City and stored for a period of 30 days and has not been redeemed, such mobile sign shall be forthwith destroyed or otherwise disposed of by the City.

Penalty for Non-Compliance

- 21. (a) Any person who, on his own or by his agent, contravenes any of the provisions of this By-law is guilty of an offence and liable upon conviction under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended from time to time to a fine of not more than five thousand dollars (\$5,000.00), exclusive of costs, for each offence. Each day such violation is committed, or permitted to continue, shall constitute a separate offence and may be punishable as such thereunder. Such fine shall be recoverable under the Provincial Offences Act.
- (b) Where a person has been convicted of an offense under this By-law the Court may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offense or the doing of any act or thing by the person convicted, directed toward the continuation or repetition of the offense.
- (c) Neither the granting of a permit nor the approval of the drawings and specifications, nor inspection made by the authority having jurisdiction during the erection of a sign shall, in any way, relieve the owner of such sign, tenant or the owner of property on which the sign is located, from full responsibility for carrying out the work in accordance with the provisions of this By-law.

Liability

- 22. Any persons erecting or maintaining any mobile sign or on whose property a mobile sign is located, shall be liable for such mobile sign. The municipality is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the erection, maintenance, removal or falling of such mobile sign or part thereof.

Notice

- 23. Any notice required to be given under this By-law is sufficiently given if delivered personally or sent by regular mail addressed to the person making application for permit to erect a mobile sign, or where such sign is existing, by ordinary mail to the owner or tenant, according to the last revised Assessment Roll of the municipality, of the property on which, or in front of which, the sign is located, or at the last address for delivery appearing on the records of the Chief Building Official or his designate.

Schedules

24. All schedules referred to in this By-law and attached to this By-law shall be deemed to be a part of the By-law.

Applicability

25. This By-law shall be applicable to all lands within the corporate limits of the City of Hamilton.

Validity

26. If a court of competent jurisdiction declares any provisions or part of a provision, of this By-law to be invalid or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

Meaning

27. For the purpose of this By-law, where the words "his" or "he" is used they shall also mean or stand for the words "her" "she" and "it" in the case of a corporation.

Short Title

28. This By-law shall be known as the Mobile Sign By-law.

Effective Date

29. Except for section 16, which shall come into force and take effect on the 12th day of May 1997, this By-law shall come into force and take effect on the 12th day of February, 1997.

PASSED this 11th day of February,

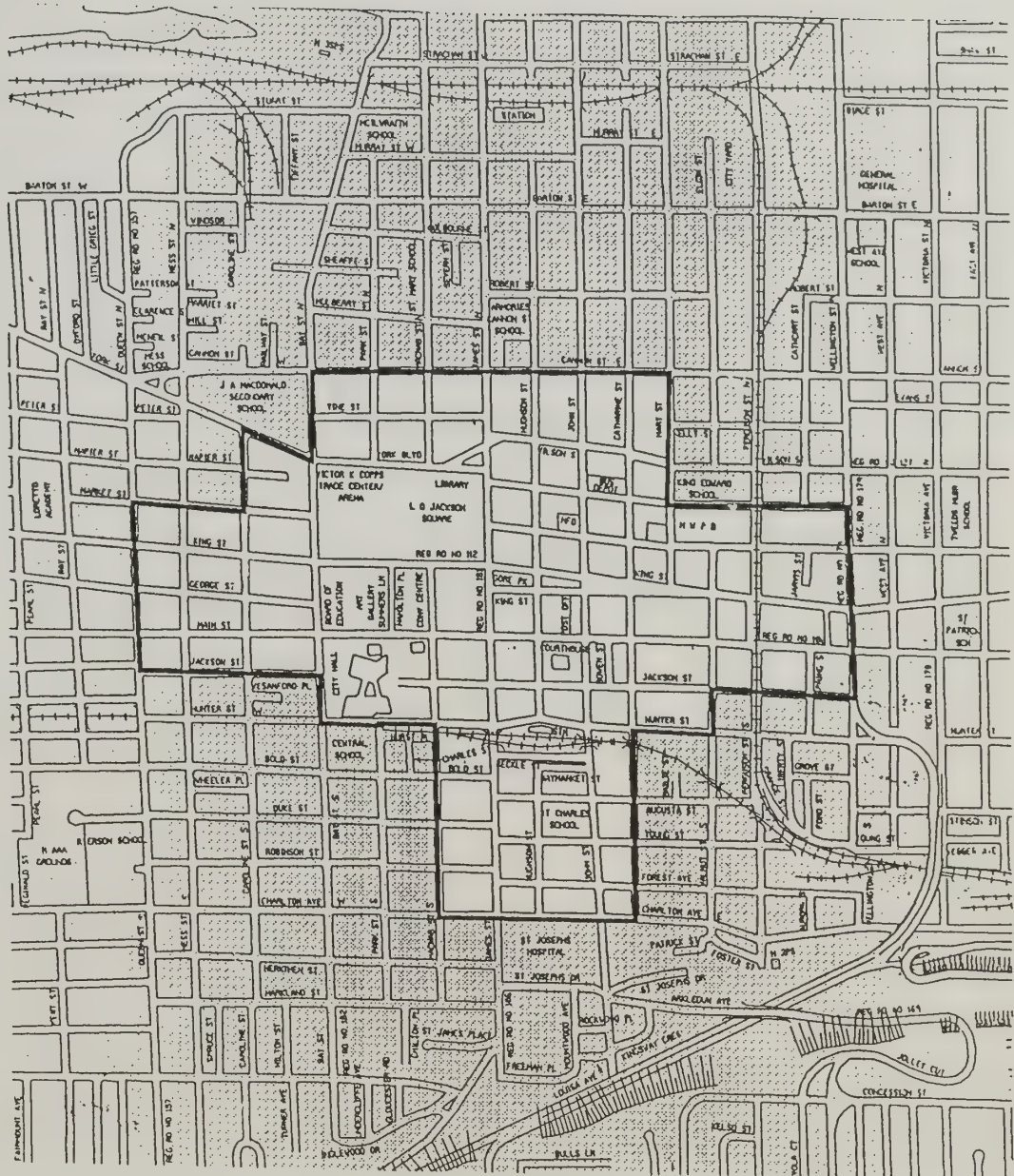
A.D. 1997



CITY CLERK




MAYOR



This is Schedule "A" to By-Law No. 97-026
 Passed the 11th day of February, 1997.

[Signature]

Clerk

[Signature]

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 97-026

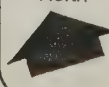
Planning and Development Department

Legend



Delineates Boundary of Downtown Core

North



Scale
 NOT TO SCALE

Date
 January 1997

Reference File No.

CI-91-1

Drawn By

R.L.

SCHEDULE "B"

PERMIT FEES

All permit applications shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of thirty-five (\$35.00) per two week period.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 027

Respecting

INDEMNIFICATION OF EMPLOYEES

WHEREAS subsection 50 of Section 207 of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, allows municipalities to pass by-laws to protect employees of a municipality against risks that may involve liability on the part of the employee and for paying any damages or costs awarded against the employee or expense incurred by the employee as a result of any action or proceeding arising out of the acts or omissions done or made by any employee in their capacity as employee, including while acting in the performance of any statutory duty or for paying any sum required in connection with the settlement of an action or other proceeding and for assuming the cost of defending the employee in such an action or proceeding;

AND WHEREAS Council enacted By-law No. 91-089 on April 30, 1991 to provide indemnification to employees of The Corporation of the City of Hamilton;

AND WHEREAS City Council, on February 11, 1997 in adopting Section 1 of the Second Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this By-law
 - (a) "Corporation" means The Corporation of the City of Hamilton;
 - (b) "employee" means any person employed by the Corporation or a Local Board and, for the purposes of this By-law, includes any person who provides services on behalf of the Corporation or a local board without remuneration exclusive of expenses or honoraria;
 - (c) "Local Board" means a local board as defined in the Municipal Affairs Act, R.S.O. 1990, Chapter M.46, as amended, as far as applicable to the Corporation.
2. The Corporation hereby designates, only for the purpose of this By-law, all persons who provide their services to the Corporation without remuneration, except for reimbursement of expenses and honoraria, as employees of the Corporation.
3. The Corporation shall agree to pay for any damages or costs awarded against any employee of the Corporation or expenses incurred by them as a result of any action or other proceeding arising out of acts or omissions done or made by them in their capacity as employees of the Corporation, including while acting in the performance of any statutory duty imposed by any Act or for paying any sum required in connection with the settlement of any action or other proceeding and for assuming the cost of defending an employee in such action or proceeding to the extent that such costs damages, expenses or sums are not assumed, paid or reimbursed under any provision of the City's insurance program.
4. The indemnification of an employee, as provided for in Section 3, does not apply to the payment of any damages or cost awarded by a court or agreed to by settlement of an action or other proceeding for an employee who is charged with a criminal offence under The Criminal Code, R.S.C. 1985, Chapter C-46, as amended, or any Provincial Offence under the Provincial Offences Act, R.S.O. 1990, Chapter P.33 or any other violation of Provincial, Federal or Municipal laws or Regulations.

5. Despite Section 4, Council may indemnify an employee for the employee's legal defence costs if the Council finds that,
 - (a) the employee acted honestly and in good faith with a view to the best interests of the City, and
 - (b) the employee had reasonable grounds for believing his or her conduct was lawful, and
 - (c) the employee had reasonable grounds to believe he/she was acting in accordance with policies of the City.
6. An employee involved in an action or proceeding related to the employee's capacity as an employee of the Corporation shall co-operate fully with the Corporation and the lawyer retained by the Corporation to defend the action or proceeding and shall make available to the Corporation's lawyer all information or documents relevant to the matters that are within the employee's knowledge, possession or control and shall attend all proceedings when requested by the lawyer and shall testify under oath or affirmation if so requested.
7. If an employee refuses to comply with the provisions of this By-law, the Corporation shall not be liable to indemnify the employee.
8. The indemnification of an employee, as provided for in Section 3, includes a person who was an employee at the time the cause of action or other proceeding arose, but who prior to judgment or other settlement of the action or proceeding has ceased to be an employee.
9. This By-law does not apply to,
 - (a) an act or omission that occurred prior to the 20th day of June 1978, or
 - (b) a legal proceeding related to a grievance filed under the provisions of a collective agreement, or to disciplinary action taken by the City as an employer.
10. By-law No. 91-089 is repealed in its entirety.

PASSED this 11th day of February A.D. 1997.



CITY CLERK




MAYOR

The Corporation of the City of Hamilton

By-law No. 97-028

To Authorize:

**A MUNICIPAL CAPITAL FACILITY AGREEMENT WITH THE
HAMILTON SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS**

WHEREAS the Hamilton Society for the Prevention of Cruelty to Animals provides animal control services to the City of Hamilton under a Contract dated January 29, 1992;

AND WHEREAS Section 210.1 of the Municipal Act, authorizes a Council to enter into agreements for the provision of municipal capital facilities by any person and to exempt from taxation for municipal and school purposes the land, or a portion of it, on which municipal capital facilities are, or will be, located;

AND WHEREAS Ontario Regulation 46/94 authorizes municipal capital facility agreements and tax exemptions for the provision of services related to the protection, regulation and control of animals;

AND WHEREAS the City and the Society have proposed to enter into an Agreement to provide Municipal Capital Facilities for the protection, regulation and control of animals;

AND WHEREAS Council, on February 11, 1997 in adopting Section 7 of the Second Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton may enter into an agreement with The Hamilton Society for the Prevention of Cruelty to Animals for the provision, management and maintenance of the municipal capital facility known as The Hamilton Society for the Prevention of Cruelty to Animals animal control shelter at 245 Dartnall Road, Hamilton, Ontario.
2. The Clerk shall give written Notice of this By-law to the Minister of Education and Training.

PASSED this 11th day of February

A.D. 1997



CITY CLERK



MAYOR

BY-LAW NO. 97 - 029

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF FEBRUARY A.D., 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

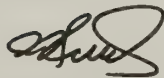
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of February A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 030

To Amend:

By-law No. 86-98

As Amended by By-laws No. 92-074 and 96-190

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE WESTDALE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-98, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-30, passed on the 10th day of December 1985, known as the "Westdale Business Improvement Area", more particularly described in By-law No. 86-30, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-074, passed on the 10th day of March 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-98;

AND WHEREAS By-law No. 96-190, passed on the 12th day of November 1996 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 96-190;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 5 of the 2nd Report of the Planning and Development Committee at its meeting held on the 11th day of February 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 86-98, as amended, is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 86-98, as amended, is repealed and the following substituted therefor:

D. Upsdell	Westdale Jewellers Ltd.
S. Snider	The Picture Frame
M. B. Ledden	Judy Marsales Real Estate
R. Lahie	Jack Carruth Shoes Ltd.
G. Ditner	Cottage Florist
D. Simpson	Simpson Watson and Vujnovic
C. Gerrie	Journey to the East
K. Patterson	Oddities II
D. Thorne	Truth
B. Davison	Design House Inc.
J. Mouskos	New Village Restaurant

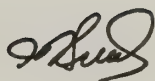
3. By-law No. 96-190 is hereby repealed in its entirety.

4. In all other respects, By-law No. 86-98, as amended, is hereby confirmed, unchanged.

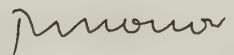
PASSED this 25th day of

February

A.D. 1997



CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 031

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED SOUTH OF THE PROPOSED MOUNTAIN FREEWAY
AND WEST OF WEST FIFTH STREET AND NORTH OF CHESTER AVENUE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-17B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, the land comprised in Blocks 1, 3 and 9;
- (b) by changing from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, the land comprised in Block 2;
- (c) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Blocks 4, 10 and 11; and
- (d) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, the land comprised in Blocks 5, 6, 7 and 8,

the extent and boundaries of each of which Blocks 1 to 11, inclusive, are shown on a plan hereto annexed as Schedule "A".

2. The "DE" (Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593, applicable to the land comprised in Block 2, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10A.(1) of Zoning By-law No. 6593, only the following use shall be permitted:
 - 1) a quattroplex dwelling;
- (b) notwithstanding Section 10A.(2) of Zoning By-law No. 6593, no building or structure shall exceed 2.0 storeys in height;
- (c) notwithstanding Section 10A.(3) of Zoning By-law No. 6593, the following shall apply:
 - 1) Minimum Front Yard
 - a) A front yard of a depth of at least 16.0 m;
 - b) For a through lot where the private outdoor amenity area is provided in the front yard, a front yard depth of at least 11.0 m;
 - c) For a through lot where the private outdoor amenity area is provided in the side yard, a front yard depth of at least 6.0 m; and,
 - d) For a through lot where a garage faces a front yard, the minimum setback to the front of the garage shall be 6.0 m;
 - 2) Minimum Rear Yard
 - a) A rear yard of a depth of at least 6.0 metres;
 - 3) Minimum Side Yard
 - a) For the two dwelling units closest to the front lot line, a minimum side yard along each side lot line, of a width of at least 3.0 m;
 - b) For the two dwelling units closest to the rear lot line, a minimum side yard along each side lot line, of a width of at least 1.2 m;
 - c) For a through lot a minimum side yard along each side lot line of a width of at least 1.2 m;
- (d) That notwithstanding Section 10A.(4) of Zoning By-law No. 6593, the following shall apply:
 - 1) each quattroplex dwelling on a lot shall have a lot area not less than 800.0 m² and a width of not less than 20.0 m; and,
 - 2) each quattroplex dwelling on a through lot shall have a lot area not less than 880.0 m² and a width of not less than 22.0 m;
- (e) That notwithstanding Section 10A.(5) of Zoning By-law No. 6593, the following shall apply:
 - 1) not less than 45% of the area of the lot shall be used for landscaped area;
 - 2) each dwelling unit shall be provided with a private outdoor amenity area; and,

- 3) an externally accessible storage shed, having a minimum gross floor area of 2.0 m² and a maximum height of 2.25 m, shall be incorporated into the amenity area for each dwelling if no garage is provided.
- (f) That in addition to the requirements of Section 18A. of Zoning By-law No. 6593, the following shall apply:
- 1) Each dwelling unit in a quattroplex dwelling shall be provided with a minimum of two parking spaces;
 - 2) The required parking spaces for each dwelling unit may be stacked;
 - 3) A parking space shall be a rectangular area having a minimum, unobstructed width of 2.7 m and a minimum unobstructed length of 5.4 m;
 - 4) For interior lots each parking area shall be provided with bumpers or wheel barriers to prevent physical encroachment beyond the parking area except at the entrance to and exit from the parking area;
 - 5) The minimum width of a driveway shall be 2.8 m and the maximum width shall be 5.5 m;
 - 6) The maximum number of driveways on a lot shall not exceed 4;
 - 7) No driveway shall be located closer than 0.8 m to another driveway and no closer than 0.4 m to a side lot line;
 - 8) Section 18.(14) of Zoning By-law No. 6593 shall not apply; and,
 - 9) Section 18A.(14a) of Zoning By-law No. 6593 shall not apply;
- (g) Notwithstanding Section 18.(3)(d) of Zoning By-law No. 6593, the following provisions shall apply:
- 1) A roofed-over but otherwise unenclosed porch may project a maximum of 2.0 m into the front yard;
 - 2) A roofed-over but otherwise unenclosed porch for the two dwelling units closest to the rear lot line shall be permitted in the side yard provided that the porch is located a minimum of 1.2 m from the side lot line;
- (h) For the purpose of Section 2.(a) 1) of this By-law, the following shall apply:
- 1) **Dwelling, Quattroplex** shall mean a building not more than one single family dwelling in height, designed to contain four dwelling units, attached to each other, side by side, in two rows arranged back to back and in substantial harmony with each other, each of which dwelling units,
 - (a) has a separate front entrance; and
 - (b) is joined on one side by a party wall to another dwelling unit in the same row; and
 - (c) is joined by a common vertical back wall;
- (i) For the purpose of Section 2.(c) 3) e) of this By-law, the following provisions shall apply:

- 1) **Private Outdoor Amenity Area** shall mean a landscaped open space area abutting a dwelling unit, having a minimum area of 30.0 square metres, excluding any area occupied by an accessory shed, and a minimum width and depth of 4.5 metres, which may be located in any yard provided it is a minimum distance of 11.0 metres from the front lot line, and a minimum distance of 5.5 metres from any street for a through lot; and,
 - 2) The private amenity outdoor area for each dwelling unit shall be enclosed by a visual barrier having a minimum height of 1.8 metres and a maximum height of 2.0 metres;
- (j) That notwithstanding Section 18.(4)(iv) of Zoning By-law No. 6593, the following shall apply:
- 1) An accessory shed is permitted in any required yard, provided that the accessory shed is located in the Private Outdoor Amenity Area and is a minimum of 0.45 m from the side lot line and rear lot line.
- (k) That notwithstanding Section 6.(19) of Zoning By-law No. 6593, the following shall apply:
- 1) Notwithstanding any other provision of this By-law, no residential structure be located closer than 17.5 m from the Mountain Freeway right-of-way; and,
 - 2) Notwithstanding any other provision of this By-law, no structure shall be located within 10 m of the limits of the Mountain Freeway;
3. That the "R-4" (Small Lot Single Family Dwelling) District regulations as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 5, 6, 7 and 8, be modified to include the following variances as special requirements:
- a) That notwithstanding Section 9A(1) of Zoning By-law No. 6593, only the following use shall be permitted:
 - 1) A single family dwelling;
 - b) That notwithstanding Section 9A.(2)(a) of Zoning By-law No. 6593, the following shall apply:
 - 1) No building or portion of a building shall exceed 1 storey and 4.5 metres in height for that portion of the building located within 3.5 metres or less of any rear lot line;
 - c) That notwithstanding Section 9A.(2)(b)(1)(i) of Zoning By-law No. 6593, the following shall apply:
 - 1) A front yard having a depth of not less than 3.5 m to the main wall of the dwelling;
 - 2) A front yard having a depth of not less than 7.0 m to the garage or carport where the lot fronts onto a road allowance that is less than 20.0 m in width;
 - d) That notwithstanding Section 18A.(1)(e) of Zoning By-law No. 6593, a manoeuvring space having an unobstructed width of 2.7 m and a minimum unobstructed length of 7.0 m shall be provided and maintained;

- e) That in addition to the requirements of Section 9A.(2)(b)(1)(iv) of Zoning By-law No. 6593, the following shall apply:
 - 1) A minimum landscaped open space area of 41 m² having a minimum width of 5.50 m and a minimum depth of 6.0 m shall be provided and maintained in the rear yard;
- f) That notwithstanding Section 9A.(2)(c) of Zoning By-law No. 6593, the following shall apply:
 - 1) No interior lot for a single family dwelling shall have a lot area of less than 220 m² or a lot width of less than 11.0 m;
 - 2) No corner lot for a single family dwelling shall have a lot area of less than 220 m² or a lot width of less than 12.0 m;
- g) That a visual barrier of not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the rear and side lot line and side lot line where it abuts the rear yard;
- h) No door, window or other opening shall be permitted in the wall of a dwelling where the wall is within 3.5 m or less, of the rear yard landscaped area of an abutting property and faces said rear yard landscaped area;
- i) That notwithstanding Sections 18.(4)(i) and 18.(13) of Zoning By-law No. 6593, no accessory building or structure shall be permitted.

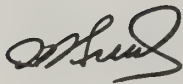
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District and "R-4" District provisions, subject to the special requirements referred to in sections 2 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1371.

6. Sheet No. W-17B of the District Maps is amended by marking the lands referred to in section 1.(b) and (d) of this by-law, S-1371.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 25th day of February A.D. 1997



CITY CLERK



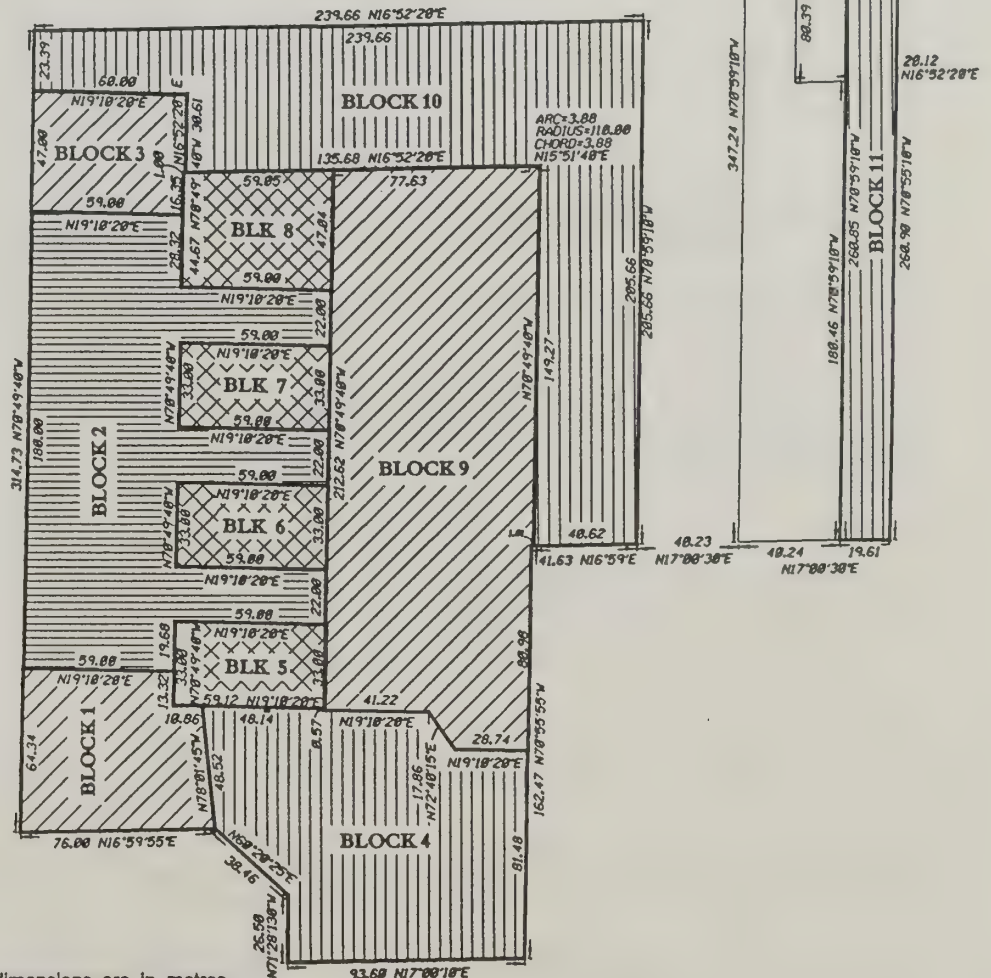
MAYOR

(1996) 16 R.P.D.C. 2.B., October 8
Starward Homes Ltd. & Ward Campbell/Brian Morison, Owners
ZAC-94-32

LIMERIDGE ROAD WEST

POST-SET CORNER OF
LOT 14, CON. 7

PROPOSED MOUNTAIN FREEWAY



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-031
Passed the 25th day of February, 1997.

[Signature]

Clerk

[Signature]

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 97-031

to Amend By-Law No. 6593

Planning and Development Department

Legend
Change in zoning from "AA"(Agricultural)
District to:

Blocks 1,3,9

"R-4" (Small Lot Single Family Dwelling) District

Block 2

"DE" (Multiple Dwellings) District, modified

Blocks 4,10,11

"C"(Urban Protected Residential, etc.)District

Blocks 5, 6,7,8

"R-4"(Small Lot Single Family Dwelling)District,modified



Scale
NOT TO SCALE

Date
Jan. 1997

Reference File No.
ZAC-94-32
Drawn By
Jason Moores

The Corporation of the City of Hamilton

BY-LAW NO. 97— 032

To Remove

Land within the "Wisemount Estates - Phase 7" Subdivision, Plan 62M-794
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, shall not apply to the following lands:

Lots 1 to 9 inclusive and Lot 12 within Registered Plan Number 62M-794,
in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2.
 - (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
 - (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
 - (c) This By-law shall expire on June 1, 1997.

PASSED this 24th day of

February

A.D. 1997.



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97-033

To Amend

By-law No. 95-18 and By-law No. 95-090

To Authorize

A TRANSFER OF DEBENTURE PROCEEDS

WHEREAS the Co-Generation Project was approved as a Canada/ Ontario Infrastructure Project;

AND WHEREAS the Co-Generation Project was approved by By-law No. 95-18 at a debenture amount of \$2,021,500.00;

AND WHEREAS the debenture portion of the Co-Generation Project was increased to \$3,685,500.00 by By-law No. 95-090;

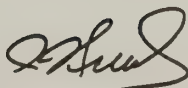
AND WHEREAS the debentures previously authorized by Council have not been sold;

AND WHEREAS City Council, on January 30, 1996, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized a reduction of the Co-Generation Project funding and a transfer of \$400,000.00 from the Co-Generation Project to the Creative Playstructure Project;

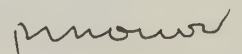
AND WHEREAS City Council, on February 27, 1996, in adopting Section 7 of the 2nd Report of the Committee of the Whole authorized a further reduction of the Co-Generation funding, a transfer of the funds to the projects listed on Schedule "A", and a cancellation of \$366,667 of the previously approved debenture funding;

1. The City Treasurer is hereby authorized to transfer \$2,054,833.00 from the Co-Generation Project to the projects listed on Schedule "A".
2. The City Treasurer is further authorized to reduce the Co-Generation Debenture authorization by \$366,667.00, representing the additional projects funded by the Reserve for Debt Charges.
3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this 25th day of February A.D., 1997



CITY CLERK



MAYOR

SCHEDULE "A"

	<u>Project</u>	<u>Gross Cost</u>	<u>Federal & Provincial Subsidies</u>	<u>Debenture Amount</u>	<u>Term of Debenture</u>
2)	City Hall - Replace Existing Chillers & Associated Equipment	\$ 340,000	\$ 226,667	\$ 113,333	20 years
4)	Renovate the Fire Station at Woodward and Melvin	\$ 200,000	\$ 133,333	\$ 66,667	20 years
6)	Playstructure Redevelopment	\$ 300,000	\$ 200,000	\$ 100,000	20 years
7)	Roadway & Sidewalk Reconstruction	\$4,124,500	\$2,749,667	\$1,374,833	20 years
	Creative Playground	\$ 400,000	0	<u>\$ 400,000</u>	20 years
				<u>\$2,054,833</u>	

The Corporation of the City of Hamilton

By-law No. 97- 034

To Amend

By-law No. 90-198

Respecting:

FIREWORKS

WHEREAS By-law No. 90-198 was enacted on June 26, 1990 to regulate the sale and setting off of family fireworks;

AND WHEREAS Council, on February 25, 1997, in adopting Section 9 of the Third Report of the Finance and Administration Committee, authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 7, subsection (1) of By-law No. 90-198 is repealed and replaced with the following:
 - (1) "No person shall set off family fireworks except on Victoria Day, Canada Day and the day preceding and following Victoria Day and Canada Day."
2. Section 29 of By-law No. 90-198 is repealed and replaced by the following:
 29. Every person who contravenes any provision of this By-law is guilty of an offence, and upon conviction, is liable to the penalties specified by Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended

PASSED this 25th day of February A.D., 1997


CITY CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 035

To Amend By-law No. 94-189

Consolidating By-law No. 71-69

Respecting:

THE SECOND PRE-LEVY INSTALMENT DUE DATE

WHEREAS By-law No. 94-189 to consolidate By-law No. 71-69 respecting the levying of Municipal taxes was enacted on November 8, 1994;

AND WHEREAS Subsection 3 of Section 8 of the By-law states,

"8.(3) Where February 28th of March 31st falls on a Saturday, Sunday or holiday, the respective instalments shall become due and payable on the last preceding day upon which the office of the Treasurer is open to receive payment of Taxes.";

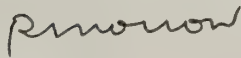
AND WHEREAS City Council, on February 25, 1997, in adopting Section 11 of the 3rd Report of the Finance and Administration Committee approved a change to Section 8(3) of the By-law to authorize a due date of April 1, 1997 for the second pre-levy instalment;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Section 8 of By-law No. 94-189 to consolidate By-law No. 71-69 is amended by adding the following subsection:

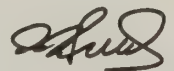
8.(4) Despite Subsection (3), for 1997 only, the second pre-levy instalment shall be due and payable on April 1, 1997.

PASSED this 25th day of February 1997.



MAYOR





CITY CLERK

MAYOR

BY-LAW NO. 97 - 037

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF FEBRUARY, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

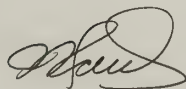
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

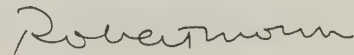
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of February 1997



CITY CLERK



MAYOR

BY-LAW NO. 97 -038

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF FEBRUARY, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

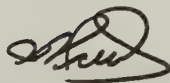
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

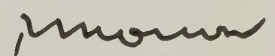
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of February 1997



CITY CLERK



MAYOR

BY-LAW NO. 97 - 039

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Jackson	Eastbound	Westbound	Spring."
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2. Schedule 29 (No Stopping Areas) of said By-law is hereby amended by adding thereto the following items, namely:-

"Haddon	West	Main to 277 feet northerly	Anytime
Franklin	South	commencing 41 feet east of the east curb line of East 27th and extending 61 feet easterly therefrom	7am - 6pm Mon - Sat
Franklin	South	Upper Sherman to 318 feet westerly	Anytime
Kenora	West	commencing 99 feet north of the north curb line of Janet and extending 139 feet northerly therefrom	Anytime
Kenora	West	commencing at the north curb line of Village and extending 67 feet northerly therefrom	Anytime."

and by deleting therefrom the following items, namely:-

"Franklin	South	Upper Sherman to 300 ft. West	Anytime
Kenora	West	commencing at a point 99 feet north of the north curb line of Janet to a point 104 feet northerly	Anytime
Kenora	West	commencing at a point 38 feet north of the north curb line of Village to a point 64 feet southerly therefrom	Anytime."

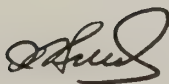
3. Schedule 31 (School Bus Loading Zones) of said By-law is hereby amended by adding thereto the following item, namely:-

"Queensdale	North	50 feet	commencing 173 feet east of Prince George	7:00 a.m. - 6:00 p.m. Monday to Saturday."
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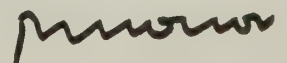
4. Schedule 35 (Wheelchair Loading Zones) of said By-law is hereby amended by adding thereto the following item, namely:-

"King	South	40 feet	commencing 92 feet east of Haddon	Anytime."
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PASSED this 11th day of March A.D. 1997.



CITY CLERK

MAYOR

BY-LAW NO. 97 - 040

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting therefrom the following item, namely:-

"Gladstone East Main to Delaware 2 hr 8 am - 8 am (24 hr) Mon - Fri."

2. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

Gladstone	West	Cumberland to Delaware	Anytime
Delbrook	North	Stroud to the west curb line of Delbrook	Anytime
Central	North	Parkdale to 119 feet east of Beland	Anytime."

and by deleting therefrom the following items, namely:-

Gladstone	West	Main to Cumberland	Anytime
Central	North	Parkdale to Reid	Anytime
Poulette	East	From 60 ft. north of Canada to 45 northerly	7 am - 6 pm Mon - Sat."

3. **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

Gladstone Avenue	West	East."
Main Street to Delaware Avenue		

4. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

Stapleton	West	from 267 feet south of Grenfell and extending 17 feet southerly therefrom	Anytime
Stapleton	East	from 191 feet south of Grenfell and extending 19 feet southerly therefrom	Anytime
Mary	East	from 98 feet south of Macauley and extending 18 feet southerly therefrom	Anytime
Weir	East	from 31 feet south of Britannia and extending 26 feet southerly therefrom	Anytime
East 13th	West	from 34 feet south of Mountville and extending 20 feet southerly therefrom	Anytime

Keith

North from 176 feet east of Emerald and
extending 18 feet easterly therefrom

Anytime."

PASSED this

11th

day of

March

A.D., 1997.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 041

TO REPEAL CITY BY-LAW 97-007
REFERRED TO AS PALACE BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

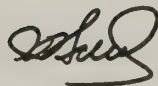
AND WHEREAS the Council of The Corporation of the City of Hamilton enacted on 1997 January 28 By-Law 97-007 to incorporate the land described therein into the highway known as Palace Boulevard;

AND WHEREAS the said By-Law 97-007 has not been registered, and includes inaccurate reference to the subject lands;

NOW THEREFORE,

1. By-Law 97-007 is hereby repealed.

PASSED this 11th day of March A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 042

TO INCORPORATE CITY LAND
DESIGNATED AS PART 8 ON PLAN 62R-12439 AND
PARTS 1, 2 & 3 ON PLAN 263314 L.T.
INTO PALACE BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Palace Boulevard within its limits, the land described below;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Palace Boulevard.

Part of Lot 3, Concession 6 in the geographic Township of Barton designated as Part 8 on Plan 62R-12439 and Parts 1, 2, & 3 on Plan 263314 L.T.

City of Hamilton

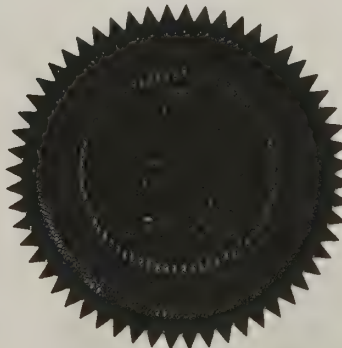
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of March A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-043

TO STOP-UP AND CLOSE A PORTION OF GERRARD STREET DESIGNATED
AS PARTS 6 & 7 ON PLAN 62R-12643 AND TO RETAIN PARTS 1 & 2
ON PLAN 62R-13793 AND TO SELL THE REMAINDER OF
GERRARD STREET BEING CLOSED

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 39 of the 15th Report of the Transport and Environment Committee on 1996 November 12 authorized the City to stop-up, close and sell that portion of Gerrard Street designated as Parts 6 & 7 on Plan 62R-12643 except Parts 1 & 2 on Plan 62R-13793.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

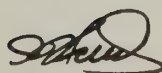
1. That a portion of Gerrard Street lying west of Sherman Avenue designated as: Parts 6 & 7 on Plan 62R-12643.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

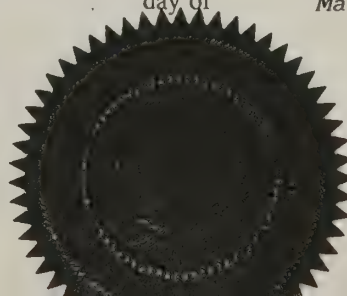
Are hereby stopped and closed.

2. That a portion of Gerrard Street being closed designated as Parts 1 & 2 on Plan 62R-13793 be retained.
3. That the remainder of Gerrard Street being closed designated as Parts 6 & 7 on Plan 62R-12643 except Parts 1 & 2 on Plan 62R-13793 along with other lands be sold to Philips Enterprises Inc. as approved by City Council on 1996 November 12 in adopting Item 39 of the 15th Report of the Transport & Environment Committee for the sum of \$348,750.
4. That this By-Law shall come to force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this 11th day of March A.D. 1997



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97- 044

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 8-10 BRANTDALE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-7 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10.(2) of Zoning By-law No. 6593, no building or structure shall exceed 2 storeys and 9.0 metres in height;
- (b) notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a single family dwelling, a side yard along each side lot line of a width of at least 0.91 m (3.0 ft.) shall be provided and maintained;
- (c) notwithstanding Section 10.(4)(i) of Zoning By-law No. 6593, each lot for a single-family dwelling shall have a minimum lot width of 9.0 m (30 ft.) and an area of at least 275 m² (2960 S.F.);
- (d) the total gross floor area of all dwelling units or parts thereof on each lot shall not exceed 0.45 times the lot area;

- (e) notwithstanding Section 2.(2)J.(viii) of Zoning By-law No. 6593, "Gross Floor Area" is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:
 - i) an attached garage;
 - ii) a detached garage; and,
 - iii) the floor occupied by heating, air conditioning and laundry equipment;
- (f) for the purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9;
- (g) in addition to the requirements of Section 18A of Zoning By-law No. 6593, where a dwelling is constructed with an attached garage, then the finished level of the private garage floor shall be a minimum of 0.3 metres above grade;
- (h) a visual barrier not less than 1.2 m to 2.0 m in height shall be provided and maintained along a lot line that abuts a commercial district;
- (i) any visual barrier along any side lot line shall be setback a minimum of 2.0 m from the front lot line; and,
- (j) Section 18.(2)(i) of Zoning By-law No. 6593 shall not apply to the subject lands.

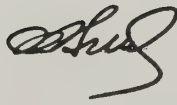
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1373.

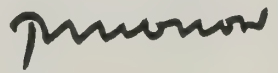
5. Sheet No. W-7 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1373.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th day of March A.D. 1997

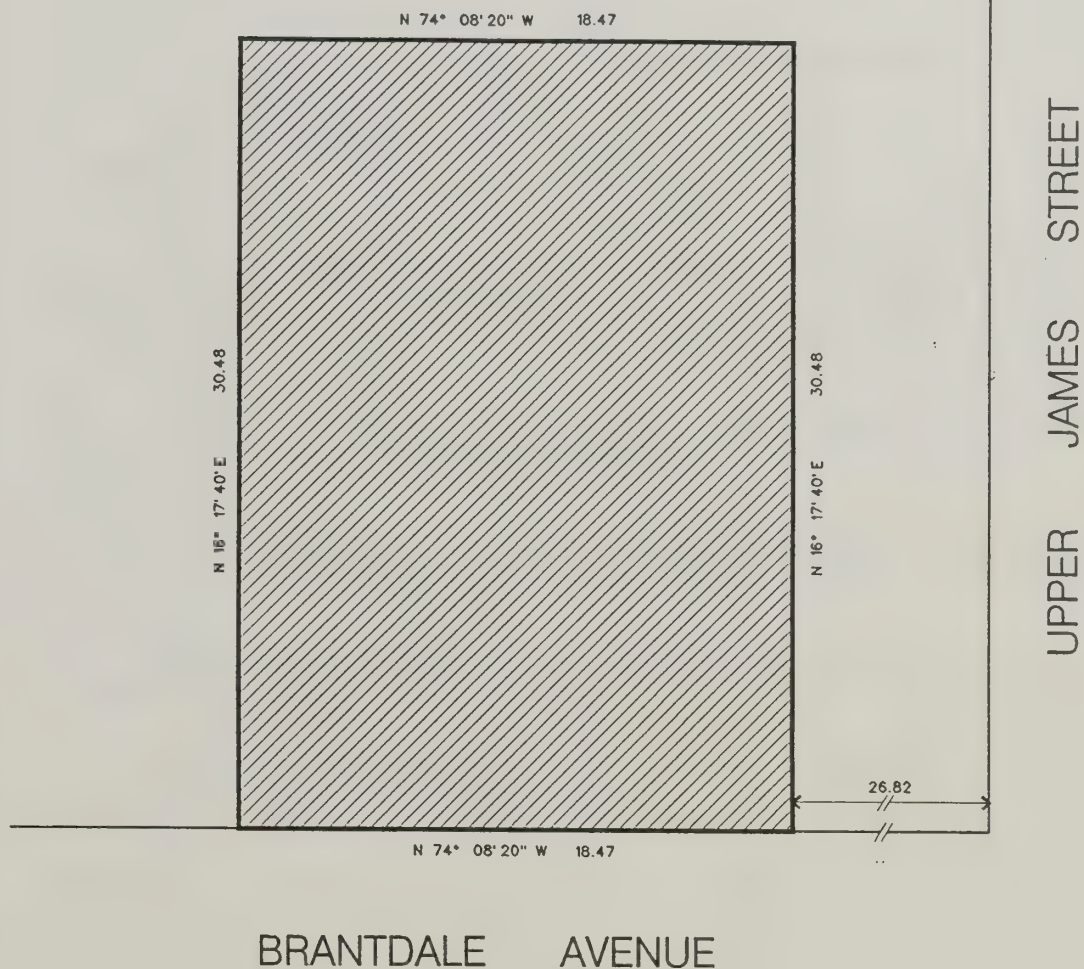


CITY CLERK



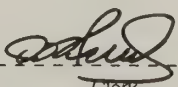
MAYOR

(1997) 1 R.P.D.C., 1, January 28
City Initiative
CI-96-K



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-044
Passed the 14th day of March, 1997.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 97-044

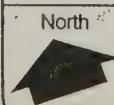
to Amend By-Law No. 6593

Planning and Development Department

Legend
Change in Zoning from :



"G-3" (Public Parking Lots) District to
"D" (Urban Protected Residential -
One and Two Family Dwellings, etc.)
District modified.



Scale
NOT TO SCALE

Date
Jan. 1997

Reference File No.
CI-96-K

Drawn By
W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 045

To Authorize

THE USE OF OPTICAL SCANNING VOTE TABULATORS

WHEREAS the Municipal Elections Act, 1996 was enacted by the Better Local Government Act, (Statutes of Ontario, 1996, Chapter 32);

AND WHEREAS Council, on August 27, 1996 in adopting Section 31 of the Fourteenth Report of the Finance and Administration Committee authorized the rental of Optical Scanning Poll Level Tabulation Units for the 1997 Municipal Election;

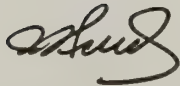
AND WHEREAS Section 42 of the Municipal Elections Act, 1996, permits a Council to authorize the use of Optical Scanning Poll Level Tabulators;

AND WHEREAS Council, on March 11, 1997, in adopting Section 5 of the Fourth Report of the Finance and Administration Committee authorized the By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Council hereby authorizes the City Clerk to use Optical Scanning Poll Level Tabulators for any future City Election.

PASSED this 11th day of March, 1997.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 046

TO INCORPORATE CITY LAND
DESIGNATED AS PART 12, ON PLAN 62R-13294
INTO DICENZO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Dicenzo Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Dicenzo Drive.

Part of Lot 14 Concession 8, in the geographic Township of Barton designated as Part 12 on Plan 62R-13294.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

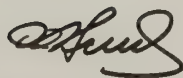
PASSED this

11th

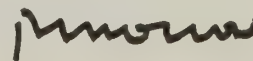
day of

March

A.D. 1997



City Clerk



Mayor

BY-LAW NO. 97 - 047

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF MARCH, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

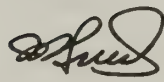
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of March 1997


CITY CLERK




MAYOR

BY-LAW NO. 97 - 48

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 18TH DAY OF
MARCH, A.D., 1997.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 18TH day of MARCH A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 049

To Amend:

Zoning By-law No. 6593

Respecting:

RENDERING PLANTS

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 3rd Report of the Planning and Development Committee at its meeting held on the 25th day of February 1997, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to rendering plants, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2.(2)E.(vii) of Zoning By-law No. 6593 is amended by deleting the words "tallow-rendering or other reducing or rendering plant", so the definition reads as follows:

"Animal By-Product Plant" shall mean and include a gelatine or glue factory, a bone-meal factory, organic fertilizer plant, and any other plant or premises used for any such purpose;"

2. Section 16.(1)(xiii)(c) of Zoning By-law No. 6593 is amended by deleting the words "within the meaning of The Public Health Act" so the clause reads as follows:

"any other animals products manufacture which is an offensive manufacture;"

3. Section 17.(1)(vii) of Zoning By-law No. 6593 is amended by deleting the words "tallow-rendering plant" so the clause reads as follows:

"A slaughter house, tannery, glue factory, or any other factory for the manufacture of Animal Products;"

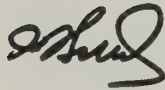
4. Section 18.(1)(vi) of Zoning By-law No. 6593 is amended by deleting the words "within the meaning of The Public Health Act or regulations thereunder" so the clause reads as follows:

"An animal by-products plant, an abattoir or slaughter house for other than the killing of rabbits or poultry, a tannery, and any other use which may be an offensive manufacture;"

5. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 25th day of March A.D. 1997



CITY CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 050

To Amend:

Zoning By-law No. 6593
and To Repeal Zoning By-laws No. 83-217 and 89-276

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 10 HERKIMER STREET
AND 9 AND 11 CHARLTON AVENUE WEST**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-217 on the 27th day of July 1983 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "E-1" District, in respect of the land located at Municipal No. 10 Herkimer Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 4th day of November 1983, (File No. R 831498);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 89-276 on the 26th day of September 1989 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "E-1" District, in respect of land located at Municipal No. 10 Herkimer Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 4 of the 2nd Report of the Planning and Development Committee at its meeting held on the 11th day of February 1997, recommended that Zoning By-law No. 6593, be further amended as hereinafter provided;

AND WHEREAS it is expedient to consolidate into this by-law the provisions of said By-laws No. 83-217 and 89-276 subject to the amendments to such provisions as provided for hereinafter in this by-law and to repeal By-laws No. 83-217 and 89-276 upon enactment of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11A of Zoning By-law No. 6593, applicable to the Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding subsections 11A(1)(i) and 11(1)(iib) of Zoning By-law No. 6593, the following RESIDENTIAL USE shall be permitted:

- (i) a residential care facility for the accommodation of not more than 77 residents, provided that said residents shall not be less than 60 years of age;
- (b) notwithstanding Section 11A(3)(ii)(b) of Zoning By-law No. 6593, there shall be provided and maintained;
 - (i) along the westerly lot line of Block 2, a side yard of not less than 1.26 m in width;
 - (ii) along the northerly lot line of Block 2, a side yard of not less than 4.5 m in width;
 - (iii) along the westerly lot line of Block 1, a side yard of not less than 3.05 m in width;
 - (iv) along the northerly lot line of Block 1, a front yard of not less than 3.05 m in depth; and
 - (v) along the easterly lot lines of Blocks 1 and 2, a side yard of not less than 2.52 m in width;
- (c) Section 11A(7) of Zoning By-law No. 6593 shall not apply;
- (d) notwithstanding Sections 18A(9) and (10) of Zoning By-law No. 6593, a portion of the required manoeuvring space for the parking on Block 1 shall be provided on No. 15 Charlton Avenue West;
- (e) notwithstanding Section 18A of Zoning By-law No. 6593, not less than ten (10) off-street parking spaces shall be provided and maintained on the site.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special requirements referred to in section 2.

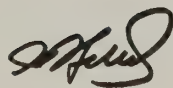
3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1377.

4. Sheets No. W5 and W6 of the District Maps are amended by marking the lands referred to in section 2 of this by-law, S-1377.

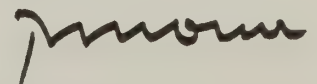
5. By-laws No. 83-217 and 89-276 are hereby repealed in their entirety.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 25th day of March A.D. 1997

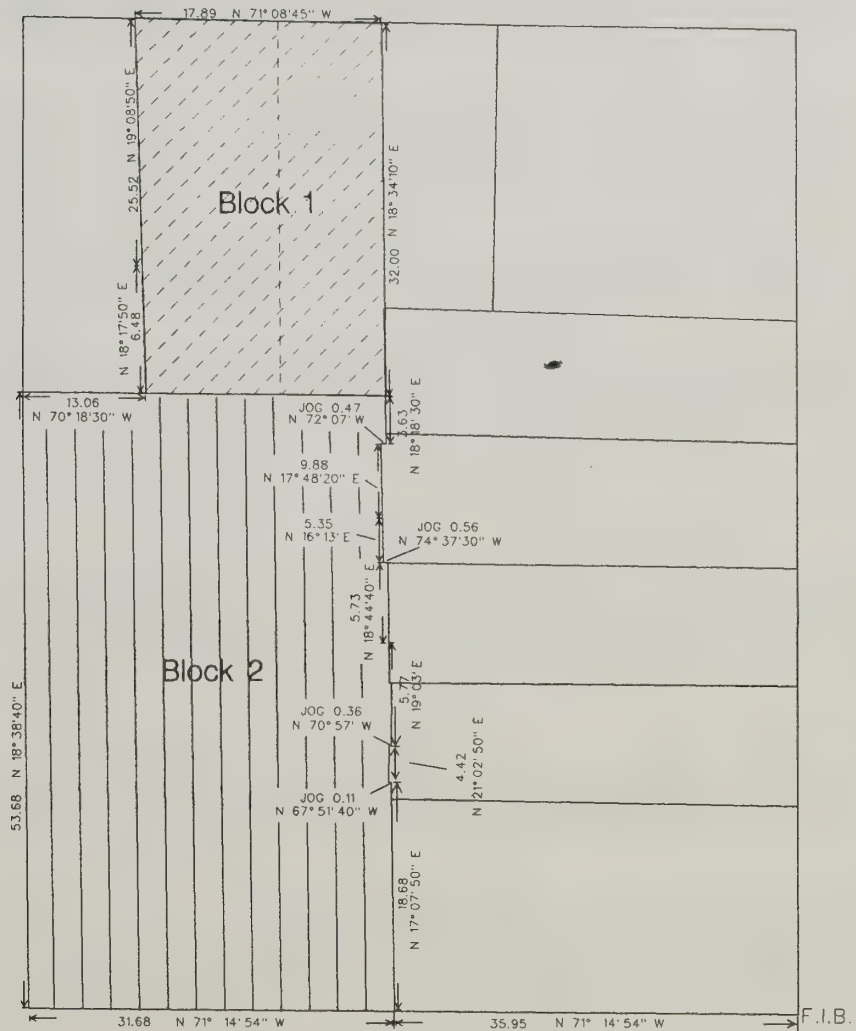


CITY CLERK

MAYOR

CHARLTON AVENUE WEST



JAMES STREET SOUTH

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-050
Passed the 25th day of March, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 97-050
to Amend By-Law No. 6593

Planning and Development Department

Legend
Modification to:

Block 1



"E-1" (Multiple Dwellings, Lodges, Clubs, etc.)
District.

Block 2



Further modification to the "E-1" (Multiple
Dwellings, Lodges, Clubs, etc.) District.



Scale
NOT TO SCALE
Date
Feb. 1997

Reference File No.
ZAC-96-12
Drawn By
Jason Moores

BY-LAW NO. 97 - 051

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25TH DAY OF MARCH, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

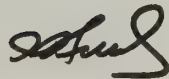
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

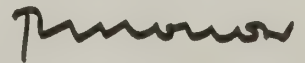
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 25th day of March 1997



CITY CLERK



MAYOR

BY-LAW NO. 97-052

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 3RD DAY OF APRIL, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

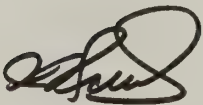
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

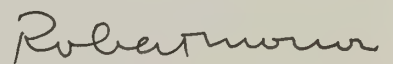
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 3rd day of April 1997



CITY CLERK



MAYOR

BY-LAW NO. 97 - 53

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 7TH DAY OF APRIL, A.D., 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

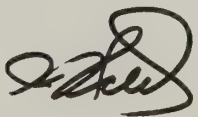
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 7TH day of APRIL A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- ~~54~~

To Amend:

By-law No. No. 87-308

As Amended by By-laws No. 92-079 and 97-012

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE BARTON GENERAL BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 87-308;

AND WHEREAS By-law No. 97-012, passed on the 28th day of January 1997, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-012;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 5 of the 5th Report of the Planning and Development Committee on the 25th day of March 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

K. Cody
M. Tollis
J. Hilger
K. Jokic
D. Tranor
N. LaSala

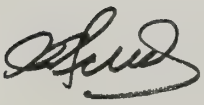
Codys Home Decor Inc.
The Riviera Banquet Centre
Ways to Wisdom
Bank of Montreal
Dell Pharmacy
Nick's Auto Service

3. By-law No. 97-012 is hereby repealed in its entirety.
4. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

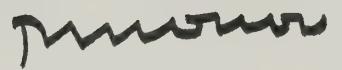
PASSED this 8th day of

April

A.D. 1997



CITY CLERK



MAYOR

(1997) 5 R.P.D.C. 5, March 25

The Corporation of the City of Hamilton

BY-LAW NO. 97-55

To Adopt:

Official Plan Amendment No. 137

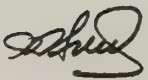
Respecting:

**LANDS LOCATED NORTH OF BURLINGTON STREET EAST AND
SOUTH OF THE HAMILTON HARBOUR WITHIN
INDUSTRIAL SECTOR NEIGHBOURHOODS "K", "L", "M" AND "N"**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 137 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 8th day of April A.D. 1997



CITY CLERK



MAYOR

Amendment No. 137

to the

City of Hamilton Official Plan

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 137.

Purpose:

The purpose of this Amendment is to redesignate several parcels of land from "Open Water" to "Industrial" to recognize the prevailing zoning districts for these areas.

Location:

The lands affected by this Amendment are located within Industrial Sector Neighbourhoods "K", "L", "M" and "N".

Basis:

The basis for redesignating the subject lands from "Open Water" to "Industrial" is as follows:

- 1) The applicable zoning district - "K" (Heavy Industrial) - was previously established by By-law 83-240 on July 27, 1983; and,
- 2) The subject lands were physically created or have the potential to be physically created through the infilling of water areas.

Actual Changes:

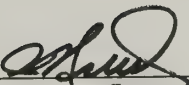
Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating several parcels of land within the Industrial Sector Neighbourhoods "K", "L", "M" and "N" from "Open Water" to "Industrial", as shown on the attached Schedule "A" of this Amendment.

Implementation:

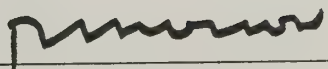
A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 97- 55 , passed on the 8th day of *April* , 1997.

**The Corporation of the
City of Hamilton**



City Clerk



Mayor

Hamilton Harbour

Lake Ontario

DEFERRED NO D-6
UNDER SECTION 14(3) OF
THE PLANNING ACT

Cootes
Paradise

land use cor

legend

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- utilities
- central policy area
- special policy area
- windermere basin
- pie numbers

15



The Corporation of the City of Hamilton

BY-LAW NO. 97 - 56

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 96-170

Respecting:

**LANDS LOCATED WEST OF WEST FIFTH STREET, SOUTH OF THE
PROPOSED MOUNTAIN FREEWAY AND NORTH OF CHESTER STREET**

WHEREAS By-law No. 96-170, passed by the Council of The Corporation of the City of Hamilton on the 8th day of October, 1996, rezoned the above-mentioned lands from "AA" (Agricultural) District to "C"- 'H' (Urban Protected Residential, etc. - Holding) District, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS Section 2 of By-law No. 96-170 provides for that upon the applicant applying for and receiving approval by the Region of Hamilton-Wentworth of a Plan of Subdivision, the 'H' symbol shall be removed by amendment to By-law No. 96-170;

AND WHEREAS the Plan of Subdivision "Orchards North Addition" was draft approved by the Region of Hamilton-Wentworth on January 14, 1997;

AND WHEREAS the Corporation of the Corporation of the City of Hamilton, in adopting Section 2 of the Fourth Report of the Planning and Development Committee at its meeting of March 11, 1997, directed that By-law 96-170 be amended to remove the 'H' (Holding) symbol in respect of the above lands;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 96-170, passed on the 8th day of October 1996, to the "C" (Urban Protected Residential, etc.) District designation of Block 1, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", is hereby removed and the development of the land may proceed in accordance with the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593.
2. Sheet No. W-9B of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by By-law No. 96-170, is further amended by changing from "C"- 'H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc.) District, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593.

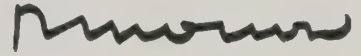
4. By-law No. 6593, as amended by By-law 96-170, is further amended by adding this by-law to section 19B as Schedule S-1367a.

5. Sheet No. W-9B of the District Maps, as amended by By-law No. 96-170, is further amended by marking the lands referred to in section 2 of this by-law, S-1367a.

PASSED this 8th day of April A.D. 1997



CITY CLERK



MAYOR

(1997) 4 R.P.D.C. 2, March 5
Mike & Gus Holdings Ltd., Owner
ZAC-97-03

NORTHEAST CORNER OF
LOT 16, CONCESSION 7

WEST

FIFTH

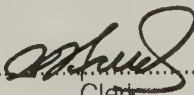
STREET

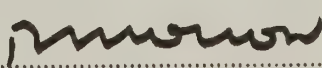
LIMERIDGE ROAD WEST

NORTHWEST CORNER OF
LOT 16, CONCESSION 7

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-...56.
Passed the ...8th day of ...April..., 1997.


Clerk


Mayor

City of Hamilton

Schedule A
Map Forming Part of
By-Law No. 97-...56....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:



"C"- "H" (Urban Protected Residential, etc. -
Holding) District to "C" (Urban Protected
Residential, etc.) District.

North



Scale
Not to Scale

Date
March 1997

Reference File No.
ZA-97-03

Drawn By
J.M.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 57

To Amend:

By-law No. 86-73

As Amended by By-laws No. 92-058 and 97-011

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Hamilton Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-73;

AND WHEREAS By-law No. 97-011, passed on the 28th day of January 1997, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-011;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 5 of the 4th Report of the Planning and Development Committee at its meeting held on the 11th day of March 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

J. Livingston
R. Harris
C. Jamieson

Livingston Furs
Harris and Henderson
The Right House

A. Peckham
H. Woods
K. Findlay
G. Attard
D. Bocker
P. Pappas
R. Titian
R. Letourneau
A. Herpers

The Royal Bank
Canadian Imperial Bank of Commerce
KD Findlay
The Ramada Hotel
Royal Connaught Howard Johnson Hotel
Joe Buddinski's
Reggie's Music and Sound
Just Imagine Printing
Herpers, Gowling Inc.

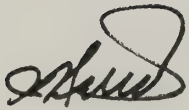
2. By-law No. 97-011 is hereby repealed in its entirety.

3. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this 8th day of

April

A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97— 58

To Remove

Land within the "Allison Estates - Phase 1, Stage 2" Subdivision, Plan 62M-795
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, shall not apply to the following lands:

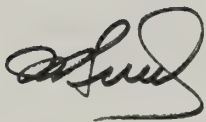
Lots 1 to 19 inclusive within Registered Plan Number 62M-795, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton–Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on May 1, 1998.

PASSED this 8th day of

April

A.D. 1997.



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 59

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

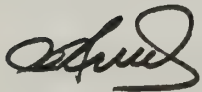
3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 8th day of April

1997.



CITY CLERK



MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	21 HEAD STREET	
	SERIAL NUMBER	01 01035 0370	
	BRIEF LEGAL DESCRIPTION	SURVEY A N MCNAB PT LOT 18	
	DATE OF REGISTRATION	13 AUGUST 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM232891	
	REDEMPTION DATE	13 AUGUST 1997	
	TOTAL ARREARS		\$11,040.55
B)	PROPERTY ADDRESS	625 GREENHILL AVENUE	
	SERIAL NUMBER	05 05360 3200	
	BRIEF LEGAL DESCRIPTION	PLAN M3 PT LOT 71 W HR89	
	DATE OF REGISTRATION	30 APRIL 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT404475	
	REDEMPTION DATE	30 APRIL 1997	
	TOTAL ARREARS		\$638,202.92
C)	PROPERTY ADDRESS	221 BARTON STREET EAST	
	SERIAL NUMBER	02 01820 7980	
	BRIEF LEGAL DESCRIPTION	PLAN 298 LOT 153 TO 154	
	DATE OF REGISTRATION	03 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229926	
	REDEMPTION DATE	03 JUNE 1997	
	TOTAL ARREARS		\$41,924.38
D)	PROPERTY ADDRESS	14 WALNUT STREET NORTH	
	SERIAL NUMBER	02 01535 2120	
	BRIEF LEGAL DESCRIPTION	PLAN 52 PT LOT 17,18,19,10	
	DATE OF REGISTRATION	03 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229925	
	REDEMPTION DATE	03 JUNE 1997	
	TOTAL ARREARS		\$41,619.09
E)	PROPERTY ADDRESS	540 UPPER JAMES	
	SERIAL NUMBER	08 09120 0370	
	BRIEF LEGAL DESCRIPTION	PLAN 279 PT LOT 10	
	DATE OF REGISTRATION	03 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT408282	
	REDEMPTION DATE	03 JUNE 1997	
	TOTAL ARREARS		\$34,036.72
F)	PROPERTY ADDRESS	19 RAWLINGS AVENUE	
	SERIAL NUMBER	07 06810 9447	
	BRIEF LEGAL DESCRIPTION	RP 62M442 LOT 163	
	DATE OF REGISTRATION	24 MAY 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT406958	
	REDEMPTION DATE	24 MAY 1997	
	TOTAL ARREARS		\$26,109.41
G)	PROPERTY ADDRESS	726 MAIN STREET EAST	
	SERIAL NUMBER	03 02450 6660	
	BRIEF LEGAL DESCRIPTION	REG COMP PLAN 1487 LOT 17	
	DATE OF REGISTRATION	24 MAY 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229430	
	REDEMPTION DATE	24 MAY 1997	
	TOTAL ARREARS		\$27,698.92

EXTENSION AGREEMENTS PAGE 2

H)	PROPERTY ADDRESS	667 KING STREET EAST	
	SERIAL NUMBER	03 02120 0010	
	BRIEF LEGAL DESCRIPTION	PLAN 43 LOT 1	
	DATE OF REGISTRATION	24 MAY 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229432	
	REDEMPTION DATE	24 MAY 1997	
	TOTAL ARREARS		\$9,687.72
I)	PROPERTY ADDRESS	73 GARFIELD AVENUE SOUTH	
	SERIAL NUMBER	03 02615 2290	
	BRIEF LEGAL DESCRIPTION	PLAN 302 LOT 35 TO 36 PT LOT 37	
	DATE OF REGISTRATION	24 MAY 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229434	
	REDEMPTION DATE	24 MAY 1997	
	TOTAL ARREARS		\$79,315.33
J)	PROPERTY ADDRESS	1063 BARTON STREET EAST	
	SERIAL NUMBER	04 02860 1620	
	BRIEF LEGAL DESCRIPTION	CON 1 PT LOT 5 ETC RP 562 LOTS 37,38	
	DATE OF REGISTRATION	19 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM230590	
	REDEMPTION DATE	19 JUNE 1997	
	TOTAL ARREARS		\$201,739.64
K)	PROPERTY ADDRESS	647 KING STREET EAST	
	SERIAL NUMBER	03 02120 0100	
	BRIEF LEGAL DESCRIPTION	PLAN 32 PT LOT 3 PT LOT 4	
	DATE OF REGISTRATION	19 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM230587	
	REDEMPTION DATE	19 JUNE 1997	
	TOTAL ARREARS		\$45,109.38
L)	PROPERTY ADDRESS	1632 UPPER JAMES STREET	
	SERIAL NUMBER	08 11010 0040	
	BRIEF LEGAL DESCRIPTION	CON 1 PT LOT 5 GL HAM	
	DATE OF REGISTRATION	19 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM409707	
	REDEMPTION DATE	19 JUNE 1997	
	TOTAL ARREARS		\$76,858.08
M)	PROPERTY ADDRESS	468 CUMBERLAND AVENUE	
	SERIAL NUMBER	03 02510 1450	
	BRIEF LEGAL DESCRIPTION	CON 3 PT LOT 7 BTN HAM	
	DATE OF REGISTRATION	09 JULY 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT412207	
	REDEMPTION DATE	09 JULY 1997	
	TOTAL ARREARS		\$49,080.29
N)	PROPERTY ADDRESS	618 PARKDALE AVENUE NORTH	
	SERIAL NUMBER	05 04010 0280	
	BRIEF LEGAL DESCRIPTION	CON BF PT LOT 32 SLT HAM	
	DATE OF REGISTRATION	09 JULY 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT412206	
	REDEMPTION DATE	09 JULY 1997	
	TOTAL ARREARS		\$46,711.55
O)	PROPERTY ADDRESS	321 KING STREET EAST	
	SERIAL NUMBER	02 01810 3670	
	BRIEF LEGAL DESCRIPTION	PLAN 214 PT LOT 2 PT LOT 3 PT LOT 4	
	DATE OF REGISTRATION	13 AUGUST 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM232888	
	REDEMPTION DATE	13 AUGUST 1997	
	TOTAL ARREARS		\$49,651.60

SCHEDULE "A"
EXTENSION AGREEMENTS – PAGE 3

P)	PROPERTY ADDRESS	1837 MAIN STREET WEST	
	SERIAL NUMBER	01 00110 8020	
	BRIEF LEGAL DESCRIPTION	PLAN 917 LOTS 8, 9, 10	
	DATE OF REGISTRATION	23 OCTOBER 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT424108	
	REDEMPTION DATE	23 OCTOBER 1997	
	TOTAL ARREARS		\$73,386.22
Q)	PROPERTY ADDRESS	320 KING ST EAST	
	SERIAL NUMBER	02 01810 3460	
	BRIEF LEGAL DESCRIPTION	PLAN 357 PT LOT 3	
	DATE OF REGISTRATION	09 JANUARY 1997	
	INST # OF TAX ARREARS CERTIFICATE	VM327105	
	REDEMPTION DATE	09 JANUARY 1998	
	TOTAL ARREARS		\$46,307.01
R)	PROPERTY ADDRESS	315 KING STREET EAST	
	SERIAL NUMBER	02 01810 3700	
	BRIEF LEGAL DESCRIPTION	PLAN 214 PT LOT 1 PT LOT 2 PT LOT 3	
	DATE OF REGISTRATION	15 JANUARY 1997	
	INST # OF TAX ARREARS CERTIFICATE	VM237264	
	REDEMPTION DATE	15 JANUARY 1998	
	TOTAL ARREARS		\$49,915.84
(S)	PROPERTY ADDRESS	216 DUNDURN STREET SOUTH	
	SERIAL NUMBER	01 00915 2230	
	BRIEF LEGAL DESCRIPTION	PLAN 1434 PT LOT 10	
	DATE OF REGISTRATION	14 FEBRUARY 1997	
	INST # OF TAX ARREARS CERTIFICATE	LT438222	
	REDEMPTION DATE	14 FEBRUARY 1998	
	TOTAL ARREARS		\$59,915.90

BY-LAW NO. 97 - 60

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 8TH DAY OF APRIL, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 8th day of April 1997

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CITY CLERK



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MAYOR

BY-LAW NO. 97 - 061

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29TH DAY OF
APRIL A.D., 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

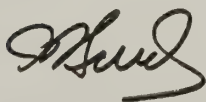
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29TH day of APRIL A.D. 1997



CITY CLERK



MAYOR

BY-LAW NO. 97 - 062

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

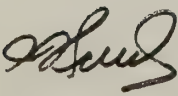
"Limeridge	Eastbound and Westbound	Brewster
Bacall (West)	Westbound	Birchview
Basin (East)	Eastbound	Birchview
Basin (West)	Eastbound	Birchview
Birchview	Northbound and Southbound	Bloor
Birchview	Northbound and Southbound	Beryl
Lockton	Eastbound and Westbound	Lawson
Limeridge	Eastbound and Westbound	Lockton
Limeridge	Eastbound and Westbound	Lawnview
Limeridge	Eastbound and Westbound	Manning
Goldstrum	Westbound	Ridge
Ridge	Northbound and Southbound	Goldstrum
Ridge	Northbound and Southbound	Victor (North)
Limeridge	Eastbound and Westbound	Hawkridge
Aldridge (Street)	Westbound	Hawkridge
Aldridge (Court)	Eastbound	Hawkridge
Aldridge	Eastbound and Westbound	Caledon
Hawkridge	Northbound and Southbound	Jameston
Jameston	Eastbound and Westbound	Caledon
Tyrone	Eastbound	Hawkridge
Limeridge	Eastbound and Westbound	Kingfisher."

and by deleting therefrom the following item, namely:-

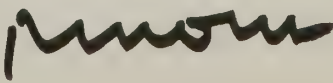
"Limeridge	Westbound	Kingfisher."
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2. This by-law shall come into force and take effect on the 1st day of July, 1997.

PASSED this 29th day of April A.D. 1997.



CITY CLERK



MAYOR

BY-LAW NO. 97 - 063

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 26 (No Parking Areas) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Limeridge	Both	Bonaventure to Kingfisher	Anytime
Limeridge	North	Kingfisher to easterly end	Anytime
Limeridge	Both	westerly end, west of Upper Sherman to Mountain Brow	Anytime."

and by deleting therefrom the following items, namely:-

"Limeridge	Both	Upper Wellington to easterly end	Anytime
Limeridge	Both	Upper James to Upper Wellington	Anytime
Limeridge	Both	Upper James to Bonaventure	Anytime."

2. Schedule 37 (Snow Routes) of said By-law is hereby amended by adding thereto the following items, namely:-

"Limeridge	Both	Garth	West 5th
Limeridge	Both	Upper Ottawa	Mountain Brow."

and by deleting therefrom the following item, namely:-

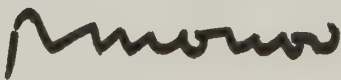
"Limeridge	Both	Garth	Mountain Brow."
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3. This by-law shall come into force and take effect on the 1st day of July, 1997.

PASSED this 29th day of April A.D. 1997.



CITY CLERK



MAYOR

BY-LAW NO. 97 - 064

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 26 (Hamilton Street Railway Bus Routes) of By-law 89-72, To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding thereto the following items, namely:-

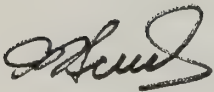
"Limeridge Road	Garth Street	West 5th Street
Limeridge Road	Upper Ottawa Street	Mountain Brow Blvd."

and by deleting therefrom the following items, namely:-

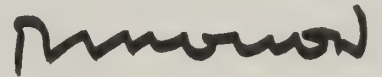
"Kingfisher Drive	Limeridge Road	Upper Wentworth
Limeridge Road	Garth	Kingfisher Drive
Limeridge Road	Upper Wentworth	Mountain Brow Blvd."

2. This by-law shall come into force and take effect on the 22nd day of June, 1997.

PASSED this 29th day of April A.D. 1997.



CITY CLERK

MAYOR

BY-LAW NO. 97 - 065

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 23 (Hamilton Street Railway)** of By-law 89-72, To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding thereto the following items, namely:-

"Limeridge at Ridge
 Limeridge at Maitland
 Limeridge at Upper Wellington
 Limeridge at Flamingo
 Kingfisher, 100 feet west of Upper Wentworth
 Kingfisher at Finch
 Kingfisher at Limeridge
 Kingfisher, 100 ' north of Limeridge
 Kingfisher at Sparrow
 Kingfisher at Upper Wentworth
 Limeridge at Upper Sherman
 Limeridge at Lawnview
 Limeridge at Lockton
 Limeridge at Upper Gage
 Limeridge at Birchview
 Limeridge at Brewster
 Limeridge at Berrisfield
 Limeridge at Upper Ottawa
 Limeridge at Upper James
 Limeridge at Garth (MB)
 Limeridge at #617 (MB)
 Limeridge, 810 feet east of Upper Wentworth (MB)."

and by deleting from the "Inbound" column the following items, namely:-

"Limeridge opposite Lynbrook (MB)
 Limeridge at Upper James
 Limeridge opposite Ridge
 Kingfisher, 30 feet south of Heron
 Kingfisher opposite Dove (MB)
 Limeridge opposite Berrisfield
 Limeridge opposite Brewster

Limeridge opposite Birchview

Limeridge at Upper Gage

Limeridge opposite Lockton

Limeridge opposite Lawnview

Limeridge at Upper Sherman

Limeridge opposite #617 (MB)

Limeridge opposite Flamingo

Limeridge at Upper Wellington

Limeridge opposite Maitland

Limeridge opposite Ridge

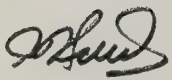
Limeridge at West 5th

Limeridge (S/S) 276 feet west of the west curb line of Rockingham (M/B)

Limeridge, south side, 97 feet east of the east curb line of Leggett (east leg), F/S."

2. This by-law shall come into force and take effect on the 22nd day of June, 1997.

PASSED this 29th day of April A.D. 1997.



CITY CLERK



MAYOR

BY-LAW NO. 97 - 066

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Bonaparte	Eastbound and Westbound	Fusilier
Alexander	Eastbound	Reginald
Fay	Northbound	Organ."

2. Schedule 29 (No Stopping Areas) of said By-law is hereby amended by adding thereto the following items, namely:-

"Balmoral	West	commencing at Cannon and extending 57 feet northerly therefrom	Anytime
St. Joseph's	North	commencing 469 feet east of John and extending 58 feet easterly therefrom	Anytime
Maplewood	South	Blake to 50 feet easterly	Anytime
Balmoral	East	Cannon to 148 feet northerly	Anytime."

and by deleting therefrom the following item, namely:-

"Hunter	South	James to MacNab	4-6 p.m.	Mon - Fri."
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3. Schedule 35 (Wheelchair Loading Zones) of said By-law is hereby amended by adding thereto the following item, namely:-

"Prospect	East	26 feet	181 feet south of Main	8:00 a.m. - 8:00 p.m. Monday to Friday."
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and by deleting therefrom the following item, namely:-

"Parkview	West	19 feet	59 feet north of Franklin	Anytime."
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PASSED this 29th day of April A.D. 1997.



CITY CLERK





MAYOR

BY-LAW NO. 97 - 067

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72, To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding to **Part 3(a)** thereof the following item, namely:-

"Balmoral West commencing 57 feet north of Cannon and extending 36 feet northerly therefrom."

2. **Schedule 25 (Parking Time Limits)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Strathcona	West	Tom to 134 feet northerly	3 hr	8 am - 5 pm	Mon - Fri
Strathcona	East	Tom to York	1 hr	8 am - 5 pm	Mon - Fri
Strathcona	West	commencing 134 feet north of Tom and extending to York	1 hr	8 am - 5 pm	Mon - Fri
Tom	North	Strathcona to 173 feet westerly	3 hr	8 am - 5 pm	Mon - Fri
Tom	South	Strathcona to Dundurn	1 hr	8 am - 5 pm	Mon - Fri
Tom	North	commencing 173 feet west of Strathcona and extending to Dundurn	1 hr	8 am - 5 pm	Mon - Fri
Bond	East	King to 133 feet northerly	3 hr	8 am - 6 pm	Mon - Fri
Bond	East	commencing 133 feet north of King and extending to Glen	1 hr	8 am - 6 pm	Mon - Fri
Bowman	East	Westwood to the T. H. & B. Railway	1 hr	8 am - 6 pm	Mon - Fri
Bowman	West	Sussex to the T.H. & B. Railway	1 hr	8 am - 6 pm	Mon - Fri."

and by deleting therefrom the following items, namely:-

"Strathcona	Both	Tom to York	1 hr	8 am - 5 pm	Mon - Fri
Tom	Both	Strathcona to Dundurn	1 hr	8 am - 5 pm	Mon - Fri
Bond	East	King to Glen	1 hr	8 am - 6 pm	Mon - Fri
Bowman	Both	Main to T. H. & B. Railway	1 hr	8 am - 6 pm	Mon - Fri."

3. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Rosslyn	East	Lawrence to Justine	Anytime
Bowman	East	Main to Westwood	Anytime
Kinrade	East	Barton to 132 feet southerly	Anytime
Kinrade	West	Barton to 142 feet southerly	Anytime."

and by deleting therefrom the following items, namely:-

"Kinrade	East	Barton to 167 ft. southerly	Anytime
Kinrade	West	Barton to 191 ft. southerly	Anytime
Balmoral	West	Cannon to 150' north	Anytime."

4. **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Montmorency Drive (East Leg) Mount Albion Road to Northerly End	West	East
Rosslyn Avenue South Justine Avenue to King Street East	East	West."

and by deleting therefrom the following items, namely:-

"Montmorency Drive (East Leg) End to End	West	East
Rosslyn Avenue South Lawrence Road to King Street East	East	West."

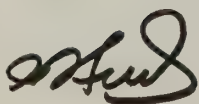
5. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Earl	West	commencing 218 feet south of Princess and extending 22 feet southerly therefrom	Anytime
Cope	East	commencing 133 feet south of the northerly end and extending 18 feet southerly therefrom	Anytime
Royal	South	commencing 231 feet west of Emerson and extending 24 feet westerly therefrom	Anytime
Sanford	West	commencing 147 feet north of Barton and extending to the south curb line of Myler	Anytime
Shaw	North	commencing 186 feet east of Victoria and extending 18 feet easterly therefrom	Anytime."

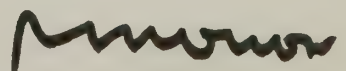
6. **Schedule 37 (Snow Routes)** of said By-law is hereby amended by deleting therefrom the following items, namely:-

"Franklin	Both	Longwood	Uplands
Norwood	Both	Longwood	Franklin
Uplands	Both	Franklin	Norwood."

PASSED this 29th day of April A.D. 1997.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-068

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 35, PLAN 62M-760
INTO ADELE COURT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Adele Court within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Adele Court

All of Block 35 on Plan 62M-760

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

29th

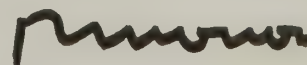
day of

April

A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 069

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 29, PLAN 62M-793
INTO WESTVILLAGE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Westvillage Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Westvillage Drive

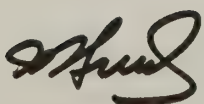
All of Block 29 on Plan 62M-793

City of Hamilton

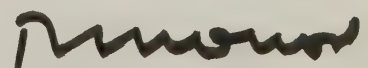
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 29th day of April A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 070

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK FX ON PLAN M-129 AND PART 1 ON PLAN 62R-12403
INTO DUNCAIRN CRESCENT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Duncairn Crescent within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Duncairn Crescent

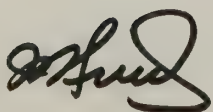
All of Block FX on Plan M-129 & Part of Block EX on Plan M-129 designated as Part 1 on Plan 62R-12403.

City of Hamilton

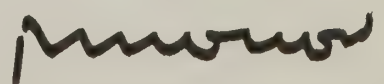
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 29th day of April A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 071

TO STOP-UP, CLOSE AND RETAIN PORTIONS OF JEREMY STREET
DESIGNATED AS PARTS 1 & 2 ON PLAN 62R-14037

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 38 of the 16th Report of the Transport and Environment Committee on 1996 December 10 authorized the City to stop-up, close and retain the above described portions of Jeremy Street.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support this By-Law;

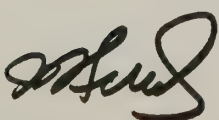
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portions of Jeremy Street described as;
Parts 1 & 2 on Plan 62R-14037 being part of Jeremy Street as laid out by Registered Plan 1053.

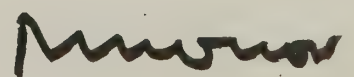
City of Hamilton
Regional Municipality of Hamilton-Wentworth

Are hereby stopped-up and closed.

PASSED this 29th day of April A.D. 1997



City Clerk



Mayor

BY-LAW NO. 97 - 072

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

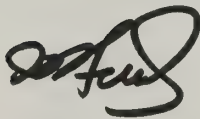
THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 26 (No Parking Areas) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"East 15th West commencing 115 feet south of Queensdale Anytime."
and extending 18 feet southerly therefrom

PASSED this 29th day of April A.D. 1997.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-073

To Amend:

Zoning By-law No. 6593

1. **TO DEFINE "CHARITY GAMING CLUB", "TABLE GAMES" AND "VIDEO LOTTERY TERMINALS (VLT)"**
2. **TO PERMIT A CHARITY GAMING CLUB AND VIDEO LOTTERY TERMINALS WITHIN THE DOWNTOWN AREA**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 6th Report of the Planning and Development Committee at its meeting held on the 8th day of April 1997, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law to define "charity gaming club", "table games" and "video lottery terminals (VLT)" and to define the Areas within which the said uses may be permitted, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Zoning By-law No. 6593 is amended by adding a new Schedule "M", annexed hereto as Schedule "A" and forming part of this by-law, as follows:

"Schedule "M" to Zoning By-law No. 6593 - Location of Charity Gaming Clubs"

2. Section 2.(2)D. of Zoning By-law No. 6593 is amended by adding the following new definition:

"(ibb) **"Charity Gaming Club"** shall mean any premises or parts thereof, containing table games and/or video lottery terminals.

For the purpose of this subclause;

- (a) **"Table Games"** shall mean games played at a Charity Gaming Club and shall include blackjack, baccarat, roulette, poker and any other such games approved by the Gaming Control Commission; and

- (b) **"Video Lottery Terminals"** shall mean machines or devices that allow a person to play a lottery scheme upon payment of money where that play may result in the receipt of a credit that can be redeemed for further play or money. Provided that, video lottery terminals are only permitted and used in conjunction with a charity gaming club."

3. Section 14 of Zoning By-law No. 6593 is amended by adding the following subclause:

"14.(1)(xviib) A charity gaming club, provided that:

- (a) it is located within the Area shown on Schedule "M"; and,
- (b) no institutional or residential uses, except a hotel, are permitted within the same building, unless such institutional or residential use, is
 - (i) functionally completely segregated from the charity gaming club, including pedestrian movement to and from such residential or institutional use; and
 - (ii) not interrupted by or projected into or through, any area otherwise,
 - A. accessory, incidental, allocated to or continuous with the charity gaming club, or
 - B. within any area devoted to the charity gaming club."

4. Section 15 of Zoning By-law No. 6593 is amended by adding the following subclause:

"15.(1)(xiva) A charity gaming club, provided that:

- (a) it is located within the Area shown on Schedule "M"; and,
- (b) no institutional or residential uses, except a hotel, are permitted within the same building, unless such institutional or residential use, is
 - (i) functionally completely segregated from the charity gaming club, including pedestrian movement to and from such residential or institutional use; and
 - (ii) not interrupted by or projected into or through, any area otherwise,
 - A. accessory, incidental, allocated to or continuous with the charity gaming club, or
 - B. within any area devoted to the charity gaming club."

5. Section 15A of Zoning By-law No. 6593 is amended by adding the following subclause:

"15A.(1)(xxiia) A charity gaming club, provided that:

- (a) it is located within the Area shown on Schedule "M"; and,
- (b) no institutional or residential uses, except a hotel, are permitted within the same building, unless such institutional or residential use, is
 - (i) functionally completely segregated from the charity gaming club, including pedestrian movement to and from such residential or institutional use; and
 - (ii) not interrupted by or projected into or through, any area otherwise,
 - A. accessory, incidental, allocated to or continuous with the charity gaming club, or
 - B. within any area devoted to the charity gaming club."

6. Section 15B of Zoning By-law No. 6593 is amended by adding the following paragraph:

"15B.(3)(b) 21. A charity gaming club, provided that:

- 1. it is located within the Area shown on Schedule "M"; and,
- 2. no institutional or residential uses, except a hotel, are permitted within the same building, unless such institutional or residential use, is
 - (a) functionally completely segregated from the charity gaming club, including pedestrian movement to and from such residential or institutional use, referred to in clauses (a) and (c) of this subsection; and,
 - (b) not interrupted by or projected into or through, any area otherwise,
 - (i) accessory, incidental, allocated to or continuous with the charity gaming club, or
 - (ii) within any area devoted to the charity gaming club."

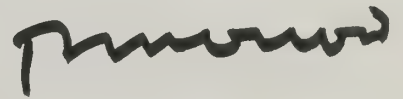
7. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th day of April A.D. 1997



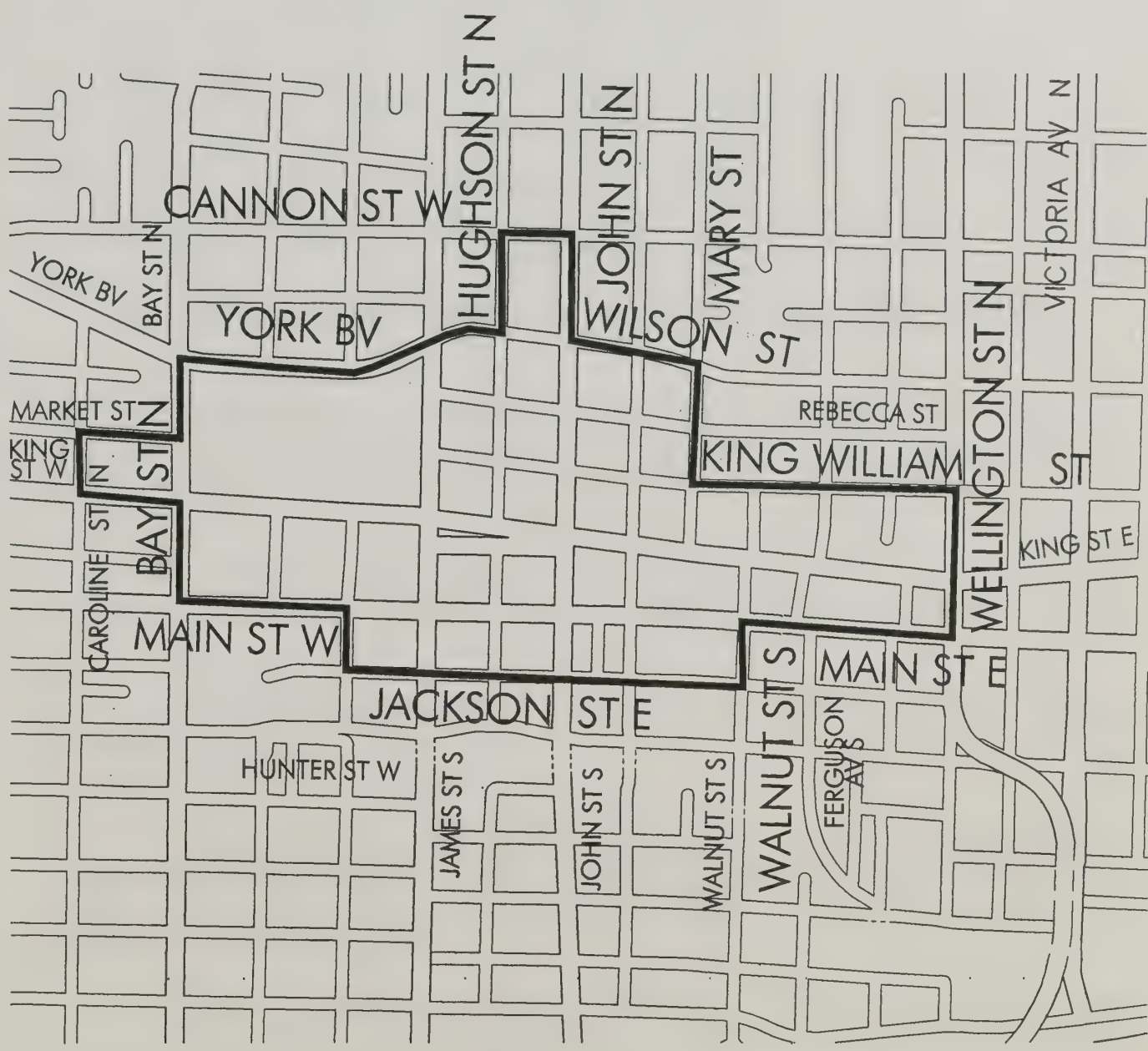
CITY CLERK



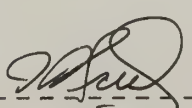
MAYOR

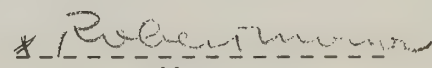
(1997) 6 R.P.D.C. 1, April 8
City Initiative 96-G

Schedule "M" to Zoning By-Law No. 6593



This is Schedule "A" to By-Law No. 97-073
Passed the 29th day of April, 1997.


Clerk


Mayor

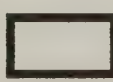
City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 97-073
to Amend By-Law No. 6593

Planning and Development Department

Legend

 LOCATION OF CHARITY GAMING CLUBS
(Refer to specific districts in Zoning By-Law)

	Scale NOT TO SCALE	Reference File No. CI 96-G
	Date April 29, 1997	Drawn By W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 97-074

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 350-360 KING STREET EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "CR-3" (Commercial-Residential) District provisions, as contained in Section 15B. of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 15B.(3)(a) of Zoning By-law No. 6593, the following uses shall be permitted within the second or third floors of the existing building:
 - (i) a senior citizens facility containing a maximum of seventy-five (75) "housekeeping dwelling units" shall be located within the second floor;
 - (ii) dining rooms used in conjunction with the senior citizens facility shall be located on the second floor;
 - (iii) lounges, common spaces, kitchens, laundry facilities, chapel and offices used in conjunction with the senior citizens facility shall be located within the third floor;
- (b) notwithstanding Section 15B.(17)(b) of Zoning By-law No. 6593, the residential portion of a joint residential use and commercial use shall have a gross floor area of not more than 31,100 m² (334,757 sq.ft.) and a commercial gross floor area of not more than 6,055 m² (65,177 sq.ft.);
- (c) Subsections 15B.(18)(a)(i) and 15B.(18)(a)(ii) of Zoning By-law No. 6593 shall not apply for the purposes of calculating gross floor area;

- (d) notwithstanding Table 1 of Section 18A. of Zoning By-law No. 6593, a minimum of 1 parking space per 3 persons who may be lawfully accommodated shall be required for a senior citizens facility containing not more than seventy-five (75) "housekeeping dwelling units";
- (e) for the purpose of this By-law, a senior citizens facility means a facility within which all residents are at least 60 years of age or older.

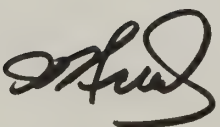
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "CR-3" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1375.

4. Sheet No. E-13 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1375.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

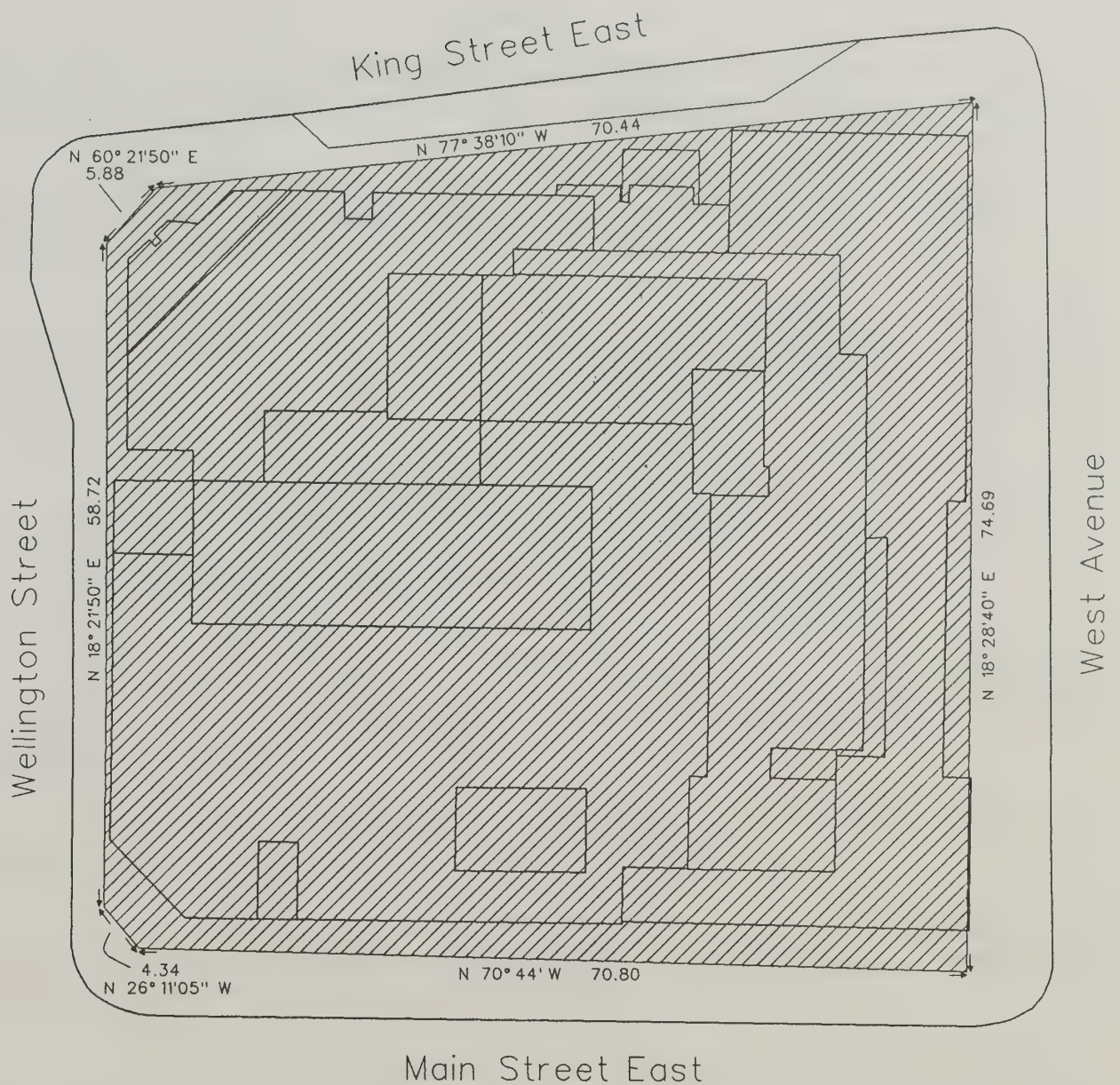
PASSED this 29th day of April A.D. 1997



CITY CLERK




MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-074
 Passed the 29th day of April, 1997.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 97-074

Planning and Development Department

Legend



Modification to the established
 "CR-3" (Commercial-Residential) District
 Regulations.

North



Scale
 NOT TO SCALE

Date
 March 1997

Reference File No.

ZA-96-16

Drawn By

J.M.

The Corporation of the City of Hamilton

BY-LAW NO. 97-075

To Amend By-law No. 97-026

Respecting:

**A BY-LAW TO REGULATE THE SIZE, USE, LOCATION AND MAINTENANCE
OF MOBILE SIGNS ON PRIVATE PROPERTY WITHIN THE CITY OF HAMILTON**

WHEREAS Section 210, paragraph 146 of the Municipal Act R.S.O. 1990, c.M. 45, authorizes a council of a local municipality to pass by-laws for prohibiting or regulating signs and other advertising devices or any class or classes thereof;

AND WHEREAS the Council of The Corporation of the City of Hamilton has deemed it desirable to enact a by-law regulating the size, use, location and maintenance of mobile signs on private property for the purpose of ensuring that mobile signs minimize hazards to pedestrian and vehicular traffic;

AND WHEREAS Council has deemed it desirable to enact a by-law which imposes restrictions on the number of mobile sign permits that will be issued and to limit the amount of time a mobile sign can be placed in one location for the purpose of maintaining and preserving the aesthetic integrity of the urban landscape;

AND WHEREAS Council is empowered under Section 326 of the Municipal Act, R.S.O. 1990, c.M.45, to require compliance with this by-law, and upon default of such compliance, may carry out such corrective action as is deemed appropriate and may recover the expenses incurred in doing so in like manner as municipal taxes;

AND WHEREAS Council is empowered under Section 320 of the Municipal Act, R.S.O. 1990, c.M.45 to impose fines for the contravention of any by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 97-026 on the 11th day of February 1997 to regulate the size, use, location and maintenance of mobile signs on private property within the City of Hamilton;

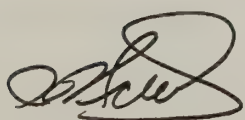
AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 6 of the 7th Report of the Planning and Development Committee at its meeting held on the 29th day of April 1997, recommended that By-law No. 97-026 be amended as hereinafter provided.

NOW THEREFORE the Council for The Corporation of the City of Hamilton enacts as follows:

1. Section 29 of By-law No. 97-026 is amended by deleting the phrase "12th day of May" in the first line and substituting therefor the phrase "13th day of June".
2. In all other respects, By-law No. 97-026 is hereby confirmed, unchanged.

PASSED this 29th day of April

A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-076

TO FIX THE RATES OF TAXATION
FOR MUNICIPAL PURPOSES FOR THE YEAR 1997

WHEREAS the Estimates for the year 1997 which set forth the revenues and expenditures of the Corporation of the City of Hamilton, were approved by the Council of the Corporation of the City of Hamilton on March 3, 1997 and

WHEREAS it is necessary to impose rates of taxation for the year 1997,

THEREFORE, the Council of the Corporation of the City of Hamilton enacts as follows:

1. That there shall be levied and raised on the whole of the rateable property located within the geographic limits of the City of Hamilton in the amount of \$1,003,603,219.00, of which \$609,386,915.00 is Residential assessment and \$394,216,304.00 is Non-residential assessment, the following rates of taxation:

- (1) For general municipal purposes 123.6957 mills producing \$124,141,400.00
 - (2) The amount to be levied and raised against "residential" assessments in the amount of \$609,386,915.00 as required by the Municipal Act shall be reduced by \$11,306,810.00 or 18.5544 mills in accordance with Section 9(3a) of the Ontario Unconditional Grants Act, R.S.O. 1990, Chapter O.38 . . \$ 11,306,810.00
- \$112,834,590.00

2. The rate to be levied against "residential" assessments as required by the Municipal Act for Municipal purposes is 105.1413 mills on the dollar.

3. The rate to be levied against "non-residential" assessments as required by the Municipal Act for Municipal purposes is 123.6957 mills on the dollar.

4. This by-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this 29th day of April A.D., 1997.


CITY CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-077

TO FIX THE RATES OF TAXATION FOR REGIONAL PURPOSES FOR THE YEAR 1997

WHEREAS the Regional Municipality of Hamilton-Wentworth has approved the requisition to the Corporation of the City of Hamilton for \$129,727,057.00 representing the Corporation of the City of Hamilton's share of the cost of operating the Regional Municipality of Hamilton-Wentworth for the year 1997.

WHEREAS after the deduction of \$9,559,600.00 of 1997 estimated shared revenues, the funds for which have been provided in the Corporation of the City of Hamilton 1997 Estimates, and the addition of the 1996 underlevy in the amount of \$96,554.00, it is intended to levy against the ratepayers of the Corporation of the City of Hamilton the resulting net amount of \$120,264,010.00 for the year 1997.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The estimated Corporation of the City of Hamilton's share of the Regional Municipality of Hamilton-Wentworth's 1997 levy, in the amount of \$129,727,057.00 is hereby adopted as part of the 1997 Estimates of the Corporation of the City of Hamilton.

2. That there shall be levied and raised on the whole of the rateable property located within the geographic limits of the City of Hamilton in the amount of \$1,003,603,219.00 of which \$609,386,915.00 is Residential assessment and \$394,216,304.00 is Non-residential assessment, the following rates of taxation:

(1)	for Regional purposes 131.8402 mills	
producing		\$132,315,250.00

(2)	the amount to be levied and raised	
	against "residential" assessments in the amount of	
	\$609,386,915.00 as required by the Municipal Act	
	shall be reduced by \$12,051,240.00 or 19.7760 mills	
	in accordance with Section 9(3a) of the Ontario	
	Unconditional Grants Act, R.S.O. 1990, Chapter O.38	\$ <u>12,051,240.00</u>
		<u>\$120,264,010.00</u>

(3) the rate to be levied against "residential" assessments as required by the Municipal Act for Regional purposes is 112.0642 mills on the dollar

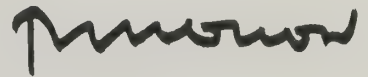
(4) the rate to be levied against "non-residential" assessments as required by the Municipal Act for Regional purposes is 131.8402 mills on the dollar

3. this by-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this 29th day of April A.D., 1997.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 078

TO FIX THE RATES OF TAXATION FOR SCHOOL PURPOSES
FOR THE YEAR 1997

WHEREAS the estimates of revenues and expenditures of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, for school purposes, have been submitted to the Finance and Administration Committee of the Corporation of the City of Hamilton.

WHEREAS it is necessary to impose rates of taxation for the year 1997 for school purposes.

THEREFORE, the Council of the Corporation of the City of Hamilton enacts as follows,

1. That there shall be levied and raised on the whole of the rateable property located within the geographic limits of the City of Hamilton in the amount of \$1,003,603,219.00, of which \$609,386,915.00 is Residential assessment and \$394,216,304.00 is Non-residential assessment, the following rates of taxation,

- (a) for Public School elementary purposes
166.4181 mills on all rateable property in the amount
of \$735,043,520.00, of which \$435,505,670.00 is
Residential assessment and \$299,537,850.00 is Non-
residential assessment, liable for Public School rates
as requested to be levied by the Board of Education
for the City of Hamilton producing \$122,324,540.00
- (b) for Separate School elementary purposes
166.4181 mills on all rateable property in the amount
of \$268,559,699.00, of which \$173,881,245.00 is
Residential assessment and \$94,678,454.00 is Non-
residential assessment, liable for Separate School
rates as requested to be levied by the Hamilton-
Wentworth Roman Catholic Separate School Board
producing 44,693,200.00
- (c) for Public School secondary purposes
76.6943 mills on all rateable property in the amount
of \$735,043,520.00 of which \$435,505,670.00 is
Residential assessment and \$299,537,850.00 is Non-
residential assessment, liable for Secondary School
rates as requested to be levied by the Board of
Education for the City of Hamilton producing 56,373,650.00

(d) for Separate School Secondary purposes
76.6943 mills on all rateable property in the amount
of \$268,559,699.00 of which \$173,881,245.00 is
Residential assessment and \$94,678,454.00 is Non-
residential assessment liable for Separate School
rates as requested to be levied by the Hamilton-
Wentworth Roman Catholic Separate School Board
producing 20,597,000.00

\$243,988,410.00

(e) The amount to be levied and raised
against "residential" assessments in the amount of
\$435,505,670.00 determined as required by the
Municipal Act shall be reduced by \$10,871,400.00 or
21.2701 mills which is the amount of the estimated
revenue from payments to be received by the Board
of Education for the City of Hamilton in 1997 for
elementary school purposes under the Education
Act, R.S.O. 1990, Chapter E. 2 \$ (10,871,400.00)

(f) The amount to be levied and raised
against "residential" assessments in the amount of
\$173,881,245.00 as required by the Municipal Act
shall be reduced by \$4,340,550.00 or 24.9627 mills
which is the amount of the estimated revenue from
payments to be received by the Hamilton-Wentworth
Roman Catholic Separate School Board in 1997
for elementary school purposes under the Education
Act, R.S.O. 1990, Chapter E. 2 (4,340,550.00)

(g) The amount to be levied and raised
against "residential" assessments in the amount of
\$435,505,670.00 determined as required by the
Municipal Act shall be reduced by \$5,010,100.00
or 11.5041 mills which is the amount of the estimated
revenue from payments to be received by the Board
of Education for the City of Hamilton in 1997 for
secondary school purposes under the Education Act,
R.S.O. 1990, Chapter E. 2 (5,010,100.00)

(h) The amount to be levied and raised
against "residential" assessments in the amount of
\$173,881,245.00 determined as required by the
Municipal Act shall be reduced by \$2,000,350.00 or
11.5041 mills which is the amount of the estimated
revenue from payments to be received by the Hamilton-
Wentworth Roman Catholic Separate School Board
in 1997 for secondary school purposes under the
Education Act, R.S.O. 1990, Chapter E. 2 (2,000,350.00)

\$221,765,990.00

2. The Education rate to be levied against "residential" assessments as required by the Municipal Act for:

(a) Public School supporters is 206.6456 mills on the dollar, and

(b) Separate School supporters is 206.6456 mills on the dollar.

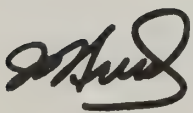
3. The Education rate to be levied against "non-residential" assessments as required by the Municipal Act for:

(a) Public School supporters is 243.1124 mills on the dollar, and

(b) Separate School supporters is 243.1124 mills on the dollar.

4. The By-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this 29th day of April A.D., 1997.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 079

**TO FIX THE TOTAL RATES OF TAXATION FOR
MUNICIPAL, REGIONAL AND SCHOOL PURPOSES FOR THE YEAR 1997**

WHEREAS the Council of the Corporation of the City of Hamilton has approved By-laws 97- 076 , 97- 077 and 97- 078 being By-laws to impose rates of taxation for the year 1997 for:

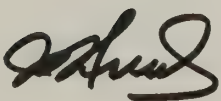
- (a) Municipal purposes
- (b) Regional purposes
- (c) Education purposes

AND WHEREAS it is intended to consolidate herein the levies referred to in said by-laws.

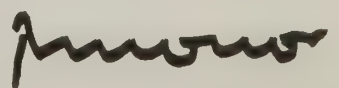
NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The total rate to be levied against "residential" assessments as required by the Municipal Act:
 - (a) by Public School supporters is 423.8511 on the dollar, and
 - (b) by Separate School supporters is 423.8511 on the dollar.
2. The total rate to be levied against "non-residential" assessments as required by the Municipal Act:
 - (a) by Public School supporters is 498.6483 on the dollar, and
 - (b) by Separate School supporters is 498.6483 on the dollar.
3. This By-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this 29th day of April A.D., 1997.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 080

To Levy:

AN ANNUAL TAX ON TELEPHONE COMPANIES DOING BUSINESS IN ONTARIO

Respecting:

THE BELL TELEPHONE COMPANY OF CANADA

WHEREAS Section 159 of the Municipal Act, R.S.O. 1990, Chap. M.45, empowers the Council of the Corporation of the City of Hamilton to levy on every telephone company doing business in the City of Hamilton an annual tax equal to 5 per cent of the total gross receipts of such company for the preceding year;

AND WHEREAS The Bell Telephone Company of Canada is a telephone company doing business in the Municipality of the City of Hamilton;

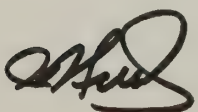
AND WHEREAS the gross receipts of The Bell Telephone Company of Canada, doing business within the Municipality of the City of Hamilton is in the amount of \$128,277,436.00 the year ended the 31st day of December, 1996;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that a tax for the fiscal year ended December 31, 1997, be levied on the Bell Telephone Company of Canada Limited in the amount of \$6,413,871.80.

2. That the tax levied hereunder shall be collected in the same manner as municipal taxes are collectible and is a special lien under Section . . . 382 of the Municipal Act on all the lands of the Bell Telephone Company of Canada.

PASSED this 29th day of April A.D., 1997.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97 - 081

TO AUTHORIZE THE AMENDMENT OF BY-LAW NO. 9430

IN RESPECT OF THE EXPROPRIATION OF CERTAIN LANDS

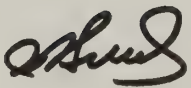
WHEREAS by By-law 9430 entitled "A By-Law to Expropriate Certain Lands in the area bounded by King Street East, Highway #20, the Mountain Brow and King Forest Park in connection with Sewers and Watercourses" enacted on the 8th day of August, 1961, The Corporation of the City of Hamilton expropriated the parcels of land therein described; and

AND WHEREAS it is now deemed expedient to release a portion of the fourthly described parcel of land, described in Schedule "A" attached hereto, from expropriation.

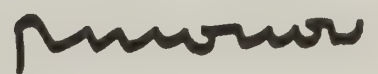
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law 9430 is hereby amended to delete reference to a portion of the fourthly described parcel of land in its entirety; and
2. The City Solicitor is hereby authorized to register the herein by-law on title to the lands described in Schedule "A" attached hereto.

PASSED this 29th day of April A.D. 1997



CITY CLERK



MAYOR

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, Province of Ontario and being composed of Parcel E, Plan 597, save and except Part 1, on Reference Plan No. 62R-8118 and Part 1, on Reference Plan No. 62R-6273

The Corporation of the City of Hamilton

BY-LAW NO. 97-082

To Amend By-law No. 7530

THE SICK LEAVE BY-LAW

WHEREAS By-law No. 7530 was enacted on the 26th day of April 1955 under Paragraph 49 of Section 386 of The Municipal Act, R.S.O. 1950, Chapter 243.

AND WHEREAS Section 14 of By-law No. 7530 only authorizes the use of down to one half day of an employee's sick leave allowance;

AND WHEREAS City Council, on the 29th day of April, 1997, in adopting Section 8 of the 8th Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 14 of By-law No. 7530 is repealed and replaced with the following:

14. The number of days or parts of a day down to 1/10 of a day for which an employee receives sick pay shall be deducted from the employee's cumulative sick leave credit.

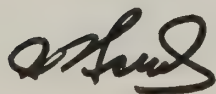
2. By-law No. 7530 is amended by the addition of the following section:

14.A (1) Where an employee has experienced an occurrence under the Attendance Management System, which would otherwise result in the employee receiving 90% of the employee's salary, the employee may utilize the employee's sick leave allowance and withdraw a part of a day down to 1/10 of a day from the employee's sick leave allowance to restore the employee's pay to a full day.

(2) Where an employee is on the Short Term Disability Income Replacement or Long Term Disability Income Replacement plans and does not receive full pay, the employee may utilize the employee's sick leave allowance and withdraw the appropriate part of a day, down to 1/10 of a day, from the sick leave allowance to restore the employee's pay to a full day.

3. This By-law is deemed to be effective on November 12, 1996.

PASSED this 29th day of April, 1997.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

By-law No. 97-083

To Amend

By-law No. 96-039

Respecting:

CULTURE AND RECREATION DEPARTMENT USER FEES

WHEREAS By-law No. 96-039 was enacted on March 26, 1996 to establish user fees for the Culture and Recreation Department;

AND WHEREAS Council, on February 25, 1997, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized changes to the Culture and Recreation Department fees;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "C" of By-law No. 96-039 is repealed and replaced by Schedule "C" attached to this By-law.
2. Schedule "D" of By-law No. 96-039 is repealed and replaced by Schedule "D" attached to this By-law.
3. Schedule "E" to By-law No. 96-039 is amended by changing the Adult Rates for the Minor Sports Facilities to the following amounts:

MINOR FACILITIES - ADULT

Weekdays	\$5.50 per hour
Weekend Days - less than six hours	\$5.50 per hour
Weekend days - more than six hours	\$5.50 per hour

There is no maximum rate per field per season.

4. Schedule "F" of By-law No. 96-039 is repealed and replaced by Schedule "F" attached to this By-law.
5. Schedule "H" of By-law No. 96-039 is repealed and replaced by Schedule "H" attached to this By-law.

6. Schedule "J" of By-law No. 96-039 is repealed and replaced by Schedule "J" attached to this By-law.

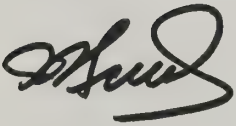
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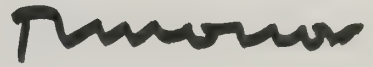
day of

April

1997.



CITY CLERK



MAYOR

SCHEDULE "C" TO BY-LAW NO. 97-083

USER FEE SCHEDULE FOR ARENA RENTALS - 1997

WINTER (Oct. 1-May 1)		1997 RATE
Recreational House League Hockey		\$ 55
Hub Hockey		\$ 63
Rep. Hockey		\$ 70
Ringette		\$ 63
Sledge Hockey		\$ 55
Can Skate/Figure Skating Clubs		\$ 80
Power Skating		\$135
Private Rentals:	Prime Time	\$135
	Non-Prime	\$ 90
Tournament:	Youth	\$ 80
	Adult	\$135
Department Affiliated Organizations		\$ 85
Year Round Figure Skating Practice Card		\$ 70

CHEDOKE TWIN PAD RATES (Oct. 1-May 1)

Recreational House League Hockey		\$ 55
Hub Hockey		\$ 63
Rep. Hockey		\$ 70
Ringette		\$ 63
Sledge Hockey		\$ 55
Can Skate/Figure Skating Clubs		\$ 80
Power Skating		\$135
Private Rentals:	Prime Time	\$160
	Non-Prime	\$130
Tournament:	Youth	\$106
	Adult	\$106
Department Affiliated Organizations		\$ 85
Year Round Figure Skating Practice Card		\$ 70

SUMMER CHEDOKE TWIN PAD ARENA (May 1 - Oct. 1)

			1997 RATE
Adult	Non-Prime	6a.m.-5p.m. weekdays	\$130
	Prime Time	5p.m.-2:00a.m.	\$160
	Weekends	6a.m.-2:00a.m.	\$160
Youth	Non-Prime	6a.m.-5p.m. weekdays	\$106
	Prime Time	5p.m.-2:00a.m.	\$106
	Weekends	6a.m.-2:00a.m.	\$106

ARENAS SUMMER SURFACE (NON-ICE) (May 1-Sept. 30)

Men's Ball Hockey:	Youth	\$ 35
	Adult	\$ 50
In-Line Skating:	Youth	\$ 35
	Adult	\$ 50
Lacrosse:	Youth	\$ 35
	Select	\$ 45
Tournaments:		\$ 60

ARENAS SUMMER ICE:

Youth	\$106
Adult	\$155
Tournament Youth	\$106
Adult	\$155

Hamilton Civic Golf Courses 1997 Rates & Fees

USER FEE SCHEDULE FOR CIVIC GOLF COURSES - 1997

City-Wide Membership	1997
Adult	\$1,050
Adult - non-resident	\$1,150
Couples	\$2,000
Couples-non- resident	\$2,100
Family	\$2,300
Family - non-resident	\$2,400
Junior	\$350
Junior - non-resident	\$450
Intermediate	\$630
Intermediate - non-resident	\$730
Pensioner	\$735
Pensioner - non-resident	\$835
Weekday Only (5 Days)	\$735
Weekday Only - non-resident	\$835

King's Forest (only)	1997
Adult	\$950
Adult - non-resident	\$1,050
Couples	\$1,800
Couples-non- resident	\$1,900
Family	\$2,000
Family - non-resident	\$2,100
Junior	\$250
Junior - non-resident	\$350
Intermediate	\$570
Intermediate - non-resident	\$670
Pensioner	\$665
Pensioner - non-resident	\$765
Weekday Only (5 Days)	\$665
Weekday Only - non-resident	\$765

Chedoke-Martin (only)	1997
Adult	\$645
Adult - non-resident	\$745
Couples	\$1,190
Couples-non- resident	\$1,290
Family	\$1,340
Family - non-resident	\$1,440
Junior	\$150
Junior - non-resident	\$250
Intermediate	\$400
Intermediate - non-resident	\$500
Pensioner	\$430
Pensioner - non-resident	\$530
Weekday Only (5 Days)	\$430
Weekday Only - non-resident	\$530

Chedoke - Beddoe (only)	1997
Adult	\$850
Adult - non-resident	\$950
Couples	\$1,600
Couples-non- resident	\$1,700
Family	\$1,800
Family - non-resident	\$1,900
Junior	\$250
Junior - non-resident	\$350
Intermediate	\$510
Intermediate - non-resident	\$610
Pensioner	\$595
Pensioner - non-resident	\$695
Weekday Only (5 Days)	\$595
Weekday Only - non-resident	\$695

Chedoke - Martin/Beddoe	1997
Adult	\$900
Adult - non-resident	\$1,000
Couples	\$1,700
Couples-non- resident	\$1,800
Family	\$2,000
Family - non-resident	\$3,000
Junior	\$300
Junior - non-resident	\$400
Intermediate	\$540
Intermediate - non-resident	\$640
Pensioner	\$630
Pensioner - non-resident	\$730
Weekday Only (5 Days)	\$630
Weekday Only - non-resident	\$730

GREEN FEES

Chedoke - Beddoe	1997
18 Holes	\$28.00
Pensioner/Jr.	\$21.00
Twilight	\$19.00
Chedoke - Martin	
18 Holes	\$24.00
Pensioner/Jr.	\$17.00
Twilight	\$15.00
King's Forest	
18 Holes	\$30.00
Pensioner/Jr.	\$23.00
Twilight	\$21.00

SCHEDULE "F" TO BY-LAW NO. 97- 083

USER FEE SCHEDULE - 1997

(a) CAMP KIDACA 6 (Beach Strip)

That the registration fee for the Beach Strip location of Camp Kidaca be increased as follows,

\$50.00 for the four day week with the July 1st statutory holiday; and
\$60.00 for all other weeks.

**(b) COMMUNITY ACTIVITIES PROGRAM
& CANADIAN MENTAL HEALTH ASSOCIATION**

Recreation Centre	\$5.00 per day
Membership	Plus Recreational Centre Membership

(c) COOPERATIVE NURSERY SCHOOLS

\$5.00 per half day until September 1, 1997
\$10.00 per half day starting on September 1, 1997

* NOTE: *G.S.T. is included in the above rates.*

SCHEDULE "H" TO BY-LAW NO. 97- 083

USER FEE SCHEDULE FOR MUSEUMS - 1997

<u>FACILITY</u>	<u>CATEGORY</u>	<u>1997 RATE</u>
Dundurn Includes Military Museum Admission	Adult	\$ 6.00
	Senior	\$ 5.50
	Student	\$ 5.00
	Child	\$ 2.50
	Family	\$16.00
Military Museum	Adult	\$ 2.00
	Senior	\$ 1.75
	Student	\$ 1.75
	Child	\$ 1.50
Steam Museum	Adult	\$ 3.50
	Senior	\$ 3.00
	Student	\$ 2.50
	Child	\$ 2.00
	Programmes (Full Day)	\$ 4.00 (New)
	Family	\$10.00
Whitehern	Adult	\$ 3.50
	Senior	\$ 3.00
	Student	\$ 2.50
	Child	\$ 2.00
	Family	\$10.00
Children's Museum	Child	\$ 2.50
	Adult Accompanying Child	Free
	Adult/Other (14 years and over)	\$ 1.00 (New)
	Friends Membership	\$ 5.00
	Adult Pass (All Museums)	\$10.00 (New)

SCHEDULE "J" TO BY-LAW NO. 97- 083

USER FEE SCHEDULE FOR SWIMMING POOL RENTALS - 1997

Indoor Pool Rentals:		(General Public / Occasional)
Non-prime time (Weekdays opening to 4:30 p.m.)		\$50.00
per hour		
Prime time (Weekdays 4:30 p.m. - closing, all weekend hours):		\$85.00
per hour		

Indoor Pool Rentals:		(Clubs and Weekly Use Groups)
Youth:	\$20.00 per hour	
Adult:	\$40.00 per hour	

The above rates include two lifeguards. A rate of \$20.00 per hour will be applied to each additional lifeguard as required.

Existing rates for hot pool rentals and fees for the slide at Huntington Park are to remain the same.

* *G.S.T. is included in the above fees.*

The above rates include two lifeguards and apply to regularly scheduled club times. Additional events/periods beyond the norm will require that, at the supervisor's discretion, the group pay the total cost of lifeguard staff plus the rental rate. A rate of \$20.00 per hour will be applied to each additional lifeguard as required.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 084

Respecting:

TARIFF OF PLANNING FEES

WHEREAS Section 69 of the Planning Act, R.S.O. 1990, Chapter P.13 requires the Council of the Corporation of the City of Hamilton to prescribe a tariff of fees by by-law;

AND WHEREAS the Rental Housing Protection Act, R.S.O. 1990, Chapter R.24 requires the council of the municipality to prescribe a tariff of fees by by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton, on February 25, 1997, in adopting Section 1 of the 1st Report of the Committee of the Whole Committee, authorized this by-law;

AND WHEREAS Section 220 of the Municipal Act authorizes municipalities to enact by-laws to impose fees on any class of person for services or activities provided on behalf of, or done by, the municipality;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The amount of the fee for each application referred to below shall be as follows:
 - (1) Application to Council by any person to initiate an amendment to the Official Plan under Section 17
 - (i) Phase 1 - Services up to the City Council Report \$1,145.00
 - (ii) Phase 2 - Services subsequent to the Council resolution approving the application \$ 625.00
 - (2) Application to Council by any person to initiate a Zoning By-law under Section 34 (1) of the Planning Act
 - (i) A routine application \$ 885.00
 - (ii) A complex application
 - (a) Phase 1 - Services up to the City Council Report \$1,145.00
 - (b) Phase 2 - Services subsequent to the Council Resolution approving the application \$ 625.00
 - (3) Application by any person to initiate an application for the purpose of,
 - (i) site plan control under Section 41 \$1,140.00
 - (ii) revision to site plan control under Section 41 \$ 420.00

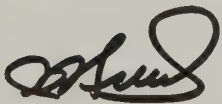
- (iii) preliminary preview of a site plan \$ 420.00
- (iv) processing a request for site plan approval exemption \$ 80.00
- (4) Application for the approval of a Plan of Subdivision under Section 51 of the Planning Act,
 - (i) Simple - where no other approvals are required \$ 560.00
 - (ii) Complex - where the Official Plan or Neighbourhood Plan or other approvals are required \$1,020.00
- (5) Application for the approval of a Plan of Condominium,
 - (i) for a newly constructed building, where The Regional Municipality of Hamilton-Wentworth approves the plan \$ 560.00
 - (ii) for a building being converted to a condominium, to be approved by the City of Hamilton
 - (a) a base fee of \$1,000.00
plus
\$20.00 per unit to a maximum of 40 units (\$800.00),
 - (b) where the application receives approval, an additional fee for processing the final approval and registration \$ 250.00
- (6) Application for a revision to a Plan of Subdivision or a Plan of Condominium \$ 355.00
- (7) Application for an extension of an approved draft Plan of Subdivision \$ 180.00
- (8) (i) Application for an exemption of part lot control under Section 50(7) of the Planning Act \$ 500.00
 - (ii) Application for an extension of Part Lot Control By-law \$ 250.00
- (9) Property reports with respect to the Official Plan, zoning status, Rental Housing Protection Act and Heritage Designation compliance \$ 80.00
- (10) Request by the applicant or agent of an Official Plan Amendment or Re-zoning application to cancel a public meeting
 - (i) Fee per public notice recirculation \$ 255.00
- (11) Request for a street name change \$4,155.00

- (12) Request for the preparation of a Neighbourhood Plan and modified Neighbourhood Plan \$1,120.00
 - (13) Request for municipal street numbers \$ 80.00
2. The amount of the fee for a Rental Housing Protection Act application shall be as follows:
- (1) Phase I - Services up to the City Council Report \$4,300.00
 - (2) Phase II - Services subsequent to the Council resolution approving the application
a base fee of \$2,000.00

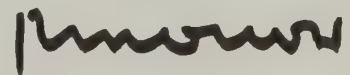
plus

\$20.00 per unit for a
condominium conversion application
 - (3) Despite subsection (1), the fee for a Severance Application only \$3,000.00
3. The fees shall be paid at the time of and with the making of an application.
4. No application shall be deemed to have been made, and no application shall be received, unless the fee is paid in accordance with this By-law.
5. The amounts in Sections 1 and 2 of this by-law shall be increased annually by the yearly inflation rate, measured by the Consumer Price Index for Toronto; and the resulting figure shall be rounded off to the nearest five dollar interval.
6. By-law No. 93-243 is repealed.
7. This by-law comes into force on the date of its passage.

PASSED this 29th day of April, 1997.



CITY CLERK

MAYOR

The Corporation of the City of Hamilton

By-law No. 97- 085

Respecting:

A BY-LAW TO ENACT USER FEES FOR THE HAMILTON FIRE DEPARTMENT

WHEREAS Section 220 of the Municipal Act authorizes a municipality to enact by-laws to impose fees on any person for services or activities provided on behalf of, or done by, the municipality;

AND WHEREAS Council, on February 25, 1997, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized the fee schedule appearing as Schedule "A" to this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

The fees specified by Schedule "A", attached to and forming part of this By-law, are hereby enacted.

PASSED this

day of

1997.



CITY CLERK



MAYOR

SCHEDULE "A"

HAMILTON FIRE DEPARTMENT 1997 SERVICE FEE SCHEDULE

Item #	Service	Fee (includes G.S.T.)
1	Copy of fire response report	\$19.26
2	File searches - outstanding work orders	\$40.00 (G.S.T. n/a)
3	Inspection of private home day care facilities	\$36.38
4	Inspection of foster care homes with capacity ≤ 4 , and group homes with capacity ≤ 3	\$36.38
5	Inspection of single family dwellings	\$36.38
6	Inspection of two family dwellings	\$214.00
7	Inspection of L.L.B.O. licence requests (indoor)	\$117.70
8	Inspection of L.L.B.O. licence requests (patio)	\$53.50
9	Inspection of foster care homes with capacity > 4 , and group homes with capacity > 3	\$171.20
10	Inspection of residential buildings ≤ 3 storeys with ≥ 3 units / apartments	\$374.50
11	Inspection of residential buildings 4, 5 or 6 storeys	\$642.00
12	Inspection of licenced day care centres	\$107.00
13	Inspection of non-residential buildings (shopping malls, industrial complexes, etc.) in terms of size / area: ≤ 4 storeys - small size > 4 storeys - small size > 4 storeys - medium size > 4 storeys - large size	 \$171.20 \$406.60 \$481.50 \$642.00
14	Inspection of residential buildings > 6 storeys: 6 - 11 storeys 12 - 18 storeys > 18 storeys	 \$ 642.00 \$ 856.00 \$1,070.00
15	Requests for Fire Route establishment - new and review of existing	\$160.50
16	Requests for Environmental file searches	\$300.00 (G.S.T. n/a)
17	Open-air Burning requests	\$107.00
18	Request for clearance/status letters	\$20.00 (G.S.T. n/a)

The Corporation of the City of Hamilton

BY-LAW NO. 97-086

To Authorize:

The Levy of a Special Charge

In Respect of:

THE CONCESSION STREET BUSINESS IMPROVEMENT AREA
GENERALLY COMPRISED OF LANDS COVERING CONCESSION STREET
BETWEEN EAST 18TH STREET AND EAST 25TH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 5 of the Twentieth Report of the Planning and Development Committee on December 10, 1996 approved the amount of \$10,100.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 83-308.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.
2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$10,100.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-144 as amended, together with interest, if any.
3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

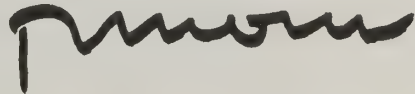
To By-law No. 97- 86

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. \$695,208.00
2. The Mill Rate for the special charge is calculated 14.5280 by:
 - a) dividing the approved estimates of the Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1997 \$10,100.00

PASSED this 29th day of April A.D. 1997



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 97-087

To Authorize:

The Levy of a Special Charge

In Respect of:

WESTDALE VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING KING STREET WEST AND THE AREA OF THE
INTERSECTION OF CLINE AVENUE AND KING STREET WEST AND EXTENDING
TO AN AREA WEST OF NEWTON AVENUE AND STERLING STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 8 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of \$35,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-030.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

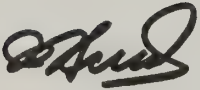
1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.
2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$35,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-098 as amended, together with interest, if any.
3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

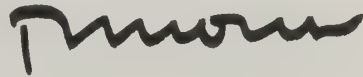
To By-law No. 97- 087

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. \$667,620.00
2. The Mill Rate for the special charge is calculated by: 52.4250
 - a) dividing the approved estimates of the Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1997 \$35,000.00

PASSED this 29th day of April A.D. 1997



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 97-088

To Authorize:

The Levy of a Special Charge

In Respect of:

THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA

GENERALLY COVERING OTTAWA STREET NORTH BETWEEN MAIN STREET
EAST AND EXTENDING TO AN AREA NORTH OF BARTON STREET EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 9 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of \$50,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-031.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

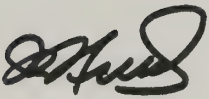
1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.
2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$50,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-099 as amended, together with interest, if any.
3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97- 088

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. \$1,170,963.00
2. The Mill Rate for the special charge is calculated by: 42.6999
 - a) dividing the approved estimates of the Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1997 \$50,000.00

PASSED this 29th day of April A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 089

To Authorize:

The Levy of a Special Charge

In Respect of:

THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS ON THE EAST AND WEST SIDES
OF MAIN STREET WEST BETWEEN LOCKE STREET ON THE WEST AND
QUEEN STREET ON THE EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 7 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of \$10,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 90-197.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

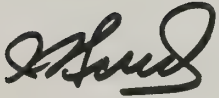
1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.
2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$10,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 92-078 as amended, together with interest, if any.
3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

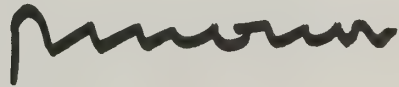
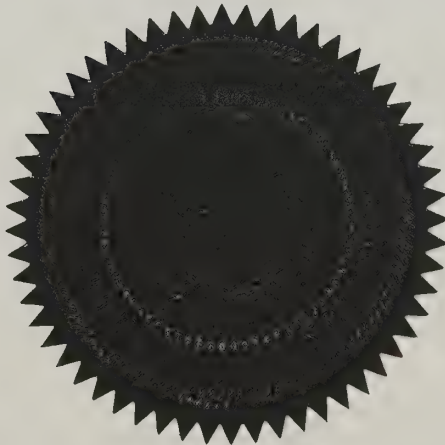
To By-law No. 97-089

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. \$544,136.00
2. The Mill Rate for the special charge is calculated by: 18.3778
 - a) dividing the approved estimates of the Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1997 \$10,000.00

PASSED this 29th day of April A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-090

To Authorize:

The Levy of a Special Charge

In Respect of:

BARTON STREET EAST #1 BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF BARTON STREET FROM THE WEST
SIDE OF WELLINGTON STREET TO THE EAST SIDE OF WENTWORTH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 6 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of \$8,760.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.
2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$8,760.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 as amended, together with interest, if any.
3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

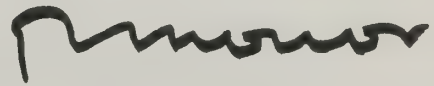
To By-law No. 97-090

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. \$367,879.00
2. The Mill Rate for the special charge is calculated by: 23.8122
 - a) dividing the approved estimates of the Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1997 \$8,760.00

PASSED this 29th day of April A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-091

The Levy of a Special Charge

In Respect of:

THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA

GENERALLY COVERING THE AREA BETWEEN KING WILLIAM STREET,
MARY STREET, MAIN STREET EAST AND JAMES STREET

WHEREAS, Section 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 5 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of \$84,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 82-151.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Estimates of the Board of Management for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street for 1997 in the amount of \$84,000.00 are hereby approved.
2. In order to raise the said \$84,000.00 there is hereby levied a mill rate of 10.7567 as a Special Charge on the persons in the area assessed for business assessment, in accordance with By-law 82-152, as follows:
 - (1) The assessed value of all the real property in the Areas used as the basis for computing business assessment (known herein as "the Total Assessed Value") is \$8,518,812.00
 - (2) The assessed value of the real property that is used as the basis for computing the business assessment for Kelloryn Hotels (Hamilton) Inc with respect to the hotel business known as "The Royal Connaught"

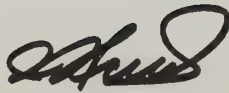
at 82 King Street East is	592,212
This is reduced by two-thirds	<u>394,808</u>
to produce the Reduced Assessed Value of that business:	197,404

- (3) The assessed value of the real property that is used as the basis for computing the business assessment of Premiere Hotels Ltd with respect to the hotel business known as "The Ramada Hotel" at 150 King Street East is 472,351
This is reduced by two-thirds 314,901
to produce the Reduced Assessed Value of the business: 157,450
- (4) "The Reduced Total Assessed Value" is \$8,518,812.00 - (394,808.00+314,901.00): \$7,809,103.00
- (5) The Mill Rate for the Special Charge is calculated by:
- (a) dividing the approved estimates of the Board of Management, \$84,000.00
 - (b) by the Reduced Total Assessed Value, \$7,809,103.00 and
 - (c) multiplying the result by 1,000: 10.7567
3. The portion of the Special Charge which is to be paid by the hotel business in sub-paragraph 2.(2) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.
4. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(3) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.
5. The portion of the Special Charge to be paid by each of the other persons in the Area assessed for business assessment shall be determined by multiplying the assessed value of the real property that is used as the basis for computing the business assessment of such person by the Mill Rate.

PASSED this 29th day of

April

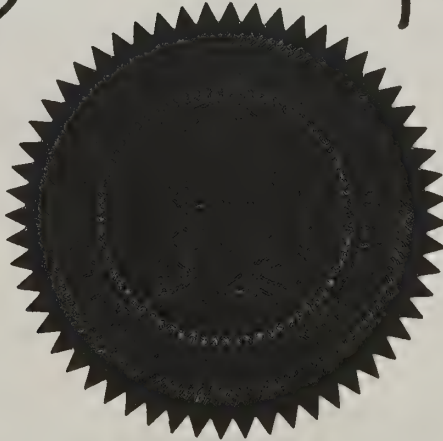
A.D. 1997



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 97- 092

To Authorize:

The Levy of a Special Charge

In Respect of:

THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF KING STREET EAST BETWEEN
MARY STREET AND WELLINGTON STREET NORTH

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 4 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of \$53,500.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 76-019.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

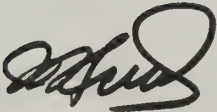
1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.
2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$53,500.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-212 as amended, together with interest, if any.
3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97- 092

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. \$953,133.00
2. The Mill Rate for the special charge is calculated by: 56.1307
 - a) dividing the approved estimates of the Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1997 \$53,500.00

PASSED this 29th day of April A.D. 1997



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 97-093

To Authorize

1997 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS Section 147 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes a municipality to incur debts for the purposes of the municipality;

WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

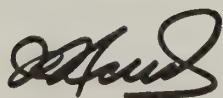
AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 1 of the 4th Report of the Committee of the Whole at its meeting held on March 18, 1997 authorized the projects appearing in Schedule "A" to this By-law;

AND WHEREAS the financial commitments, liabilities and debt charges of the projects listed in Schedule "A" and The Corporation of the City of Hamilton's other debts and debt charges will not exceed the City's debt limit as specified by the Municipal Act and Regulation 710/92;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The projects listed in Schedule "A", attached to and part of this By-law, are hereby approved.
2. The City Treasurer is authorized to arrange the issuance of the necessary debenture to a maximum of \$10,581,000.00 for a term not to exceed ten years by The Regional Municipality of Hamilton-Wentworth and chargeable to the City.
3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this 29th day of April, 1997.



CITY CLERK



MAYOR

SCHEDULE "A" TO BY-LAW NO. 97- 093

	<u>Project</u>	<u>Gross Cost</u>	<u>Reserve Financing</u>	<u>Debenture Amount</u>	<u>Term of Debenture</u>
78.0	Roadways and Sidewalks Reconstruction Program - Phase II	\$ 700,000	NIL	\$ 700,000	10 years
79.0	Roadways and Sidewalks Reconstruction Program	\$ 6,671,000	NIL	\$ 6,671,000	10 years
128.1	Hamilton Harbour Waterfront Trail - Phase I	\$ 1,000,000	NIL	\$ 1,000,000	10 years
142.0	Mohawk Sports Park Development - Phase I	\$ 240,000	NIL	\$ 240,000	10 years
156.0	Macassa Park Redevelopment	\$ 333,000	NIL	\$ 333,000	10 years
168.0	Downtown Phase of Ferguson Avenue Master Plan	\$ 780,000	NIL	\$ 780,000	10 years
193.0	Westdale Branch Library	\$ 666,000	\$266,000	\$ 400,000	10 years
194.0	Barton Branch Library - Renovation	<u>\$ 457,000</u>	NIL	<u>\$ 457,000</u>	10 years
		<u>\$10,847,000</u>	<u>\$266,000</u>	<u>\$10,581,000</u>	

BY-LAW NO. 97 - 094

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29TH DAY OF APRIL, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

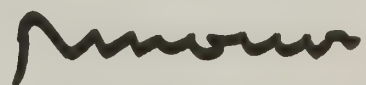
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of April 1997



CITY CLERK



MAYOR

BY-LAW NO. 97 - 095

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 6TH DAY OF MAY A.D., 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

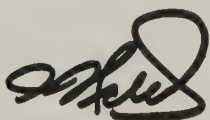
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 6TH day of MAY A.D. 1997



CITY CLERK



MAYOR

BY-LAW NO. 97 - 96

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 24 (Parking Meter Locations) of By-law 89-72 To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding to Part 4(a) thereof the following item, namely:-

"Rebecca	North	John to Catharine."
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and by deleting from Part 3(b) thereof the following item, namely:-

"Rebecca	North	John to Catharine."
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2. Schedule 26 (No Parking Areas) of said By-law is hereby amended by adding thereto the following items, namely:-

"Blossom	North	commencing 493 feet west of Upper James and extending 32 feet westerly therefrom	Anytime
Norwood	South	commencing at Bond and extending 93 feet westerly therefrom	Anytime."

and by deleting therefrom the following item, namely:-

"Case	South	commencing 201 feet west of lottridge to a point 20 feet westerly therefrom	Anytime."
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and by deleting from Part A thereof the following item, namely:-

"Rebecca	North	45 feet	93 feet east of John	Anytime."
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3. Schedule 34 (Sticker Permit Parking) of said By-law is hereby amended by adding thereto the following items, namely:-

"Brant	South	commencing 53 feet west of Niagara and extending 16 feet westerly therefrom	Anytime
Poulette	East	Hunter to the northerly end	Anytime
Fairfield	East	commencing 167 feet south of Britannia and extending 24 feet southerly therefrom	Anytime
Fairfield	West	commencing 183 feet south of Britannia and extending 23 feet southerly therefrom	Anytime."

and by deleting therefrom the following item, namely:-

"Bond	East	52 feet south of Marion to a point 22 feet southerly therefrom	Anytime."
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PASSED this 13th day of May A.D. 1997.



CITY CLERK



MAYOR



BY-LAW NO. 97 - 97

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 23 (Hamilton Street Railway)** of By-law 89-72, To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding to the "Outbound" column thereof the following items, namely:-

"Limeridge 118 feet east of Upper Ottawa (F/S)

Upper Kenilworth 217 feet north of Limeridge (M/B) - recovery point

Unsworth 108 feet east of Upper Ottawa

Hempstead 36 feet west of Nebo (N/S)."

and by deleting from the "Outbound" column thereof the following items, namely:-

"Limeridge at Upper Kenilworth

Limeridge at #1350."

and by adding to the "Inbound" column thereof the following items, namely:-

"Limeridge 288 feet west of West 5th (N/S)

Upper Kenilworth 217 feet north of Limeridge (M/B) - recovery point

Hempstead 200 feet north of the projected north curb of Unsworth (M/B)

MacNab (East Leg) 20 feet north of Main."

and by deleting from the "Inbound" column thereof the following items, namely:-

"Limeridge Road West opposite #175/195 (MB)

Pritchard at Rymal (FS)."

2. This by-law shall come into force and take effect on the 22nd day of June, 1997.

PASSED this 13th day of May A.D. 1997.



CITY CLERK



MAYOR

BY-LAW NO. 97 - 098

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding thereto the following items, namely:-

"Barlake	Southbound	Barlake
Hollydene	Northbound	Barlake
Jeremy	Southbound	Chipman."

2. Schedule 28 (Taxi Stands) of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Rebecca	North	87 ft	118 ft west of Catharine	Anytime."
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3. Schedule 29 (No Stopping Areas) of said By-law is hereby amended by adding thereto the following item, namely:-

"Monteagle	South	Dungannon to 52 feet westerly	Anytime."
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4. Schedule 35 (Wheelchair Loading Zones) of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Royal	South	24 feet	66 feet east of Emerson	8:00 a.m. - 6:00 p.m. Monday to Friday."
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PASSED this 13th day of May A.D. 1997.



CITY CLERK





MAYOR

BY-LAW NO. 97 - 099

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 7 (Weight Restrictions on Certain Bridges)** of By-law 89-72 To Regulate Traffic passed on the 13th day of May 1997 is hereby amended by adding thereto the following items, namely:-

"Valley Inn Road, bridge over Grindstone Creek 5 tonnes".

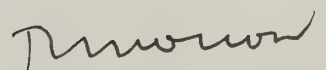
2. **Schedule 7 (Weight Restrictions on Certain Bridges)** is hereby amended by deleting therefrom the following item, namely:-

"Valley Inn Road, bridge over Grindstone Creek 13.5 tonnes".

PASSED this *13th* day of *May* A.D. 1997.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 100

TO STOP-UP, CLOSE AND SELL THAT PORTION OF ROSSLYN AVENUE
FROM MAIN STREET EAST TO KING STREET EAST DESIGNATED AS
PARTS 1, 2, 3 AND 4 ON PLAN 62R-14097

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting a resolution at its' meeting on 1997 April 8 authorized the City to stop-up, close and sell that portion of Rosslyn Avenue from Main Street East to King Street East designated as Parts 1, 2, 3 and 4 on Plan 62R-14097.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. To stop-up, close and sell that portion of Rosslyn Avenue lying between Main Street East and King Street East designated as Parts 1, 2, 3 and 4 on Plan 62R-14097.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Are hereby authorized.

2. That the closed portion of Rosslyn Avenue being Parts 1, 2, 3 and 4 on Plan 62R-14097 be sold to the abutting owner on the east side for a sum of \$104,280.00.
3. That an easement over part of said Rosslyn Avenue designated as Part 3 on Plan 62R-14097 be granted to the Hamilton Hydro Electric System.
4. That an easement over part of said Rosslyn Avenue designated as Part 2 on Plan 62R-14097 be granted to the Regional Municipality of Hamilton-Wentworth.

Page 2

To Stop Up, Close and Sell that Portion of Rosslyn Avenue from Main Street East to King Street East Designated as Parts 1, 2, 3 and 4 on Plan 62R-14097.

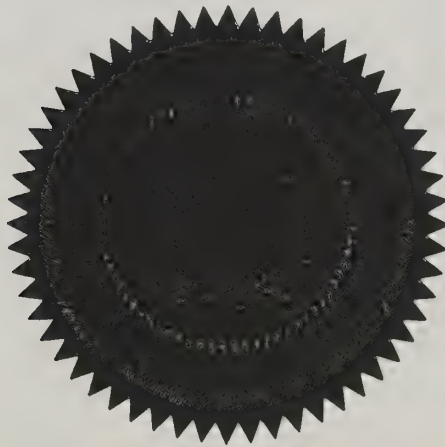
By-Law 97-

5. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this 13th day of May A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 101

To Authorize:

1. The construction as Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act of independent concrete sidewalks:
 - a) on the north side of Stone Church Road East from Upper Ottawa Street to approximately 550 m easterly (east limit of #1249 Stone Church Road East) and,
 - b) on the south side of Stone Church Road East from Upper Ottawa Street to Dartnall Road as described in Schedule "A";
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications, and reports and the supervision of the construction by the Commissioner of Transportation.

WHEREAS the Council of The Corporation of the City of Hamilton did decide to authorize preparation of this By-law because it is expedient to undertake the works hereinafter described as local improvements, without petition on the initiative of Council, (Item 23 of the 3rd Report of the Transport and Environment Committee on March 11, 1997);

AND WHEREAS the Council of The Corporation of the City of Hamilton did authorize that the Corporation's portion of the cost of the proposed works be paid out of current revenues, (Item 6 of the 4th Report of the Finance and Administration Committee on March 11, 1997);

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of the Local Improvement Act, R.S.O. 1990, Chapter L.26;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and to raise the abutting owners' portion of the costs by borrowing the required funds through the Region's issuance of debentures until said abutting owners' portion of the cost is paid by the special assessment;

AND WHEREAS the Regional Municipalities Act, R.S.O. 1990, Chapter R.8 provides (section 111) that "no area municipality has power to issue debentures", and that the Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, R.S.O. 1990, Chapter O.28, section 65, states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained;

AND WHEREAS the Local Improvement Act, (section 53(7)) states that the amount of monies borrowed in respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvement works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed (a) \$73,000 and (b) \$141,000 respectively.
2. The portion of the estimated cost of the works in the amount of (a) \$53,408.04 and (b) \$85,140.44 respectively shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre thereof (set out in Schedule "A" attached hereto,) shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in equal annual instalments until fully paid.
3. Pending payment of the abutting owners' portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton,
 - (a) to the extent sufficient to provide an amount not exceeding \$53,408.04 and \$85,140.44 respectively.;
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation is hereby authorized to,
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 13th day of May A.D. 1997.



CITY CLERK



MAYOR

(1997) 3 R.T.E.C. 23, March 11
(1997) 4 R.F.A.C. 6, March 11

SCHEDULE "A"

Construction of an independent concrete sidewalk

(a) on the north side of Stone Church Road from Upper Ottawa Street to approximately 550 m easterly (east limit of #1249 Stone Church Road East),

at the estimated cost not exceeding the following:

City's Share	\$ 19,591.96
Abutting Owners' Share	<u>53,408.04</u>
TOTAL ESTIMATED COST	\$73,000.00

(b) on the south side of Stone Church Road East from Upper Ottawa Street to Dartnall Road,

at the estimated cost not exceeding the following:

City's Share	\$ 55,859.56
Abutting Owners' Share	<u>85,140.44</u>
TOTAL ESTIMATED COST	\$141,000.00

Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	\$98.00
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The Corporation of the City of Hamilton

BY-LAW NO. 97- 102

To Authorize:

**DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT**

293 TRAGINA AVENUE NORTH

WHEREAS a Notice dated the **13th** Day of **December** 1996 was served or caused to be served in accordance with Subsection 6 of Section 31 of The Planning Act, R.S.O. 1990, Chapter P.13, as amended;

AND WHEREAS an Order dated the **6th** of **January** 1997 was served or caused to be served in accordance with Subsection 7 of Section 31 of the said Act;

AND WHEREAS an appeal has been made from the said Order in accordance with Subsection 16 of Section 31 of the said Act;

AND WHEREAS a hearing was held on the **17th** of **March** 1997 by the Property Standards Committee in accordance with Subsection 17 of Section 31 of the said Act;

AND WHEREAS the Property Standards Committee confirmed the Order in accordance with Subsection 17 of Section 31 of the said Act;

AND WHEREAS no appeal has been lodged with a Judge of the Judicial District pursuant to Subsection 18 of Section 31 of the said Act;

AND WHEREAS the Order is now deemed to be final and binding pursuant to Subsection 19 of Section 31 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described as municipal number 293 Tragina Avenue North, Lot No. 4, Plan No. 502, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No.94-185 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Subsection 20 of Section 31 of the said Act, the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Section 39(1)(c)(ii) of The Property Standards By-Law No. 94-185, as amended, the final amount expended by the City to demolish the buildings, together with interest, shall be a lien against the property in respect of which such amount was expended and the certificate of the City Clerk as to such amount shall be final and such amount shall be deemed to be taxes and may be added to the collector's roll to be collected in like manner as municipal realty taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land municipally known as 293 Tragina Avenue North, more particularly described as Lot No. 4, Plan No. 502, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in like manner as municipal realty taxes.

PASSED this *13th* day of *May* A.D. 1997



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 97- 103

To Extend By-law No. 97-032

Respecting:

**LAND WITHIN THE "WISEMOUNT ESTATES, PHASE 7"
SUBDIVISION (62M-794)
PLAN 62R-13901**

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part,
as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 97-032 on February 24, 1997 to remove the lands described in section 1 thereof from part lot control, which by-law shall expire on June 1, 1997;

AND WHEREAS a request has been made for an extension of the time period specified for the expiration of By-law No. 97-032;

AND WHEREAS approval under subsection (7.1) is not required for an extension in accordance with subsection (7.4);

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(c) of By-law No. 97-032 is hereby repealed and the following substituted therefor:

"(c) As it relates to Lots 1 - 9, this By-law shall expire on June 1, 1998. As it relates to Lot 12, this By-law expires on June 1, 1997."

2. Section 1. of By-law No. 97-032 is hereby repealed and the following substituted therefor:

"Subsection 5 of Section 50 of the Planning Act, shall not apply, for the purposes of creating maintenance easements only, to the following lands:

Lots 1 to 9 inclusive, and Lot 12, within Registered Plan Number 62M-794, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth."

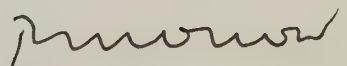
3. In all other respects, By-law No. 97-032 is hereby confirmed, unchanged.

4. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 97-032.

PASSED this 13th day of May A.D. 1997.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 104

To Repeal:

Zoning By-law No. 96-114

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS.
775 AND 779 UPPER WENTWORTH STREET**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-114 on the 25th day of June 1996 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-124 on the 9th day of July 1996 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS it is expedient to repeal By-law No. 96-114 as it is redundant.

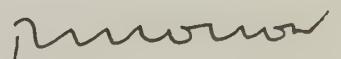
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 96-114, passed on the 25 day of June 1996, is hereby repealed in its entirety.
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 13th day of May A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 105

To Amend:

By-law No. 86-73

As Amended by By-laws No. 92-058 and 97-57

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Hamilton Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-73;

AND WHEREAS By-law No. 97-57, passed on the 8th day of April 1997, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-57;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 8 of the 7th Report of the Planning and Development Committee at its meeting held on the 29th day of April 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

J. Livingston
R. Harris
C. Jamieson

Livingston Furs
Harris and Henderson
The Right House

A. Peckham
 H. Woods
 K. Findlay
 G. Attard
 D. Broker
 R. Titian
 R. Letourneau
 A. Herpers
 R. Sorenson

The Royal Bank
 Canadian Imperial Bank of Commerce
 KD Findlay
 The Ramada Hotel
 Royal Connaught Howard Johnson Hotel
 Reggie's Music and Sound
 Just Imagine Printing
 Herpers, Gowling Inc.
 Sundried Tomatoes

2. By-law No. 97-57 is hereby repealed in its entirety.
3. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this 13th day of

May

A.D. 1997



CITY CLERK




MAYOR

(1997) 7 R.P.D.C. 8, April 29

The Corporation of the City of Hamilton

BY-LAW NO. 95- 106

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 121 AUGUSTA STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 131, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "L-mr-2" (Planned Development - Multiple Residential) District provisions, as contained in Section 17B of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 17B(4) of Zoning By-law No. 6593, the following shall be permitted:
 - (i) general offices, only within the existing building;
 - (ii) a ground sign in the front yard of an area of not more than 1.2 square metres and a height of not more than 1.2 m and either non-illuminated or illuminated by non-flashing, indirect, or interior means only;
- (b) notwithstanding Section 18A(7) of Zoning By-law No. 6593, three of the required parking spaces shall have a length of not less than 5.2 m;
- (c) Section 18A(9) of Zoning By-law 6593 shall not apply to the required loading space;
- (d) Section 18A(11)(b) of Zoning By-law 6593 shall not apply;
- (e) notwithstanding Section 18A(12)(c) of Zoning By-law 6593, a visual barrier of not less than 1.0 m in height shall be provided and maintained along the easterly lot line adjoining the parking area;
- (f) Section 18A(14) of Zoning By-law 6593 shall not apply.

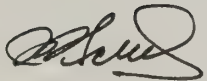
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "L-mr-2" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1345.

4. Sheet No. E-5 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1345.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 13th day of May A.D. 1997



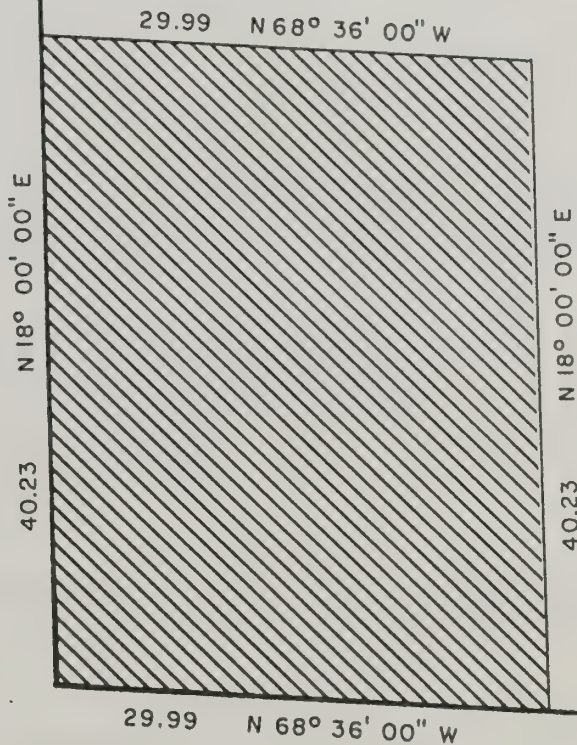
CITY CLERK




MAYOR

(1995) 17 R.P.D.C. 4, August 29
Community Adolescent Network of Hamilton, Owner
ZAC-95-20

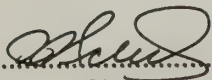
BAILLIE STREET



AUGUSTA STREET

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-106..
Passed the 13th day of May, 1997.



Clerk



Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-106
to Amend By-Law No. 6593

Planning and Development Department

Legend



Modification to the established
"L-mr-2" (Planned Development-
Multiple Residential) District.

North



Scale
Not to Scale

Date
May 1997

Reference File No.
ZAR-95-20

Drawn By
FAB

The Corporation of the City of Hamilton

BY-LAW NO. 97- 107

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED WEST OF OMNI BOULEVARD,
SOUTH OF UPPER HORNING ROAD
AND NORTH OF STONE CHURCH ROAD WEST**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Blocks 1 and 2; and
- (b) by changing from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Blocks 3 and 4,

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 2 and 4, are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9.(3)(i) of Zoning By-law No. 6593, the minimum front yard shall be provided and maintained in accordance with Schedule "B", hereto annexed and forming part of this by-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1380.

5. Sheet No. W-9B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1380.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 13th day of May A.D. 1997



CITY CLERK

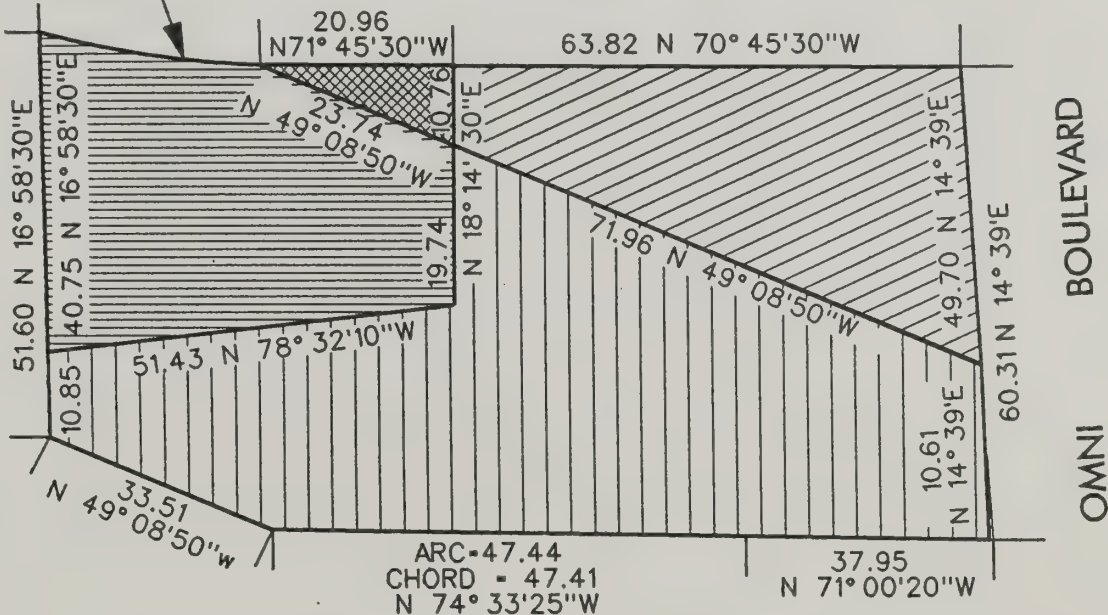


MAYOR

(1997) 8 R.P.D.C. 1, May 13
Frank Mulas Construction Ltd.,
DiCenzo Construction and
Sunshine Construction Inc., Owners
Amended ZAC-97-10

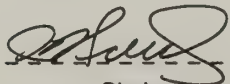
N64° 05' 50" W
CHORD=31.28
RADIUS=119.51
ARC=31.37

UPPER HORNING ROAD



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-107
Passed the 13th day of May, 1997.



Clerk



Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 97-107

to Amend By-Law No. 6593

Planning and Development Department

Legend
change in Zoning:

- BLOCK 1 From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
- BLOCK 2 From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified;
- BLOCK 3 From "D" (Urban Protected Residential- One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District; and,
- BLOCK 4 From "D" (Urban Protected Residential- One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District, modified.

North



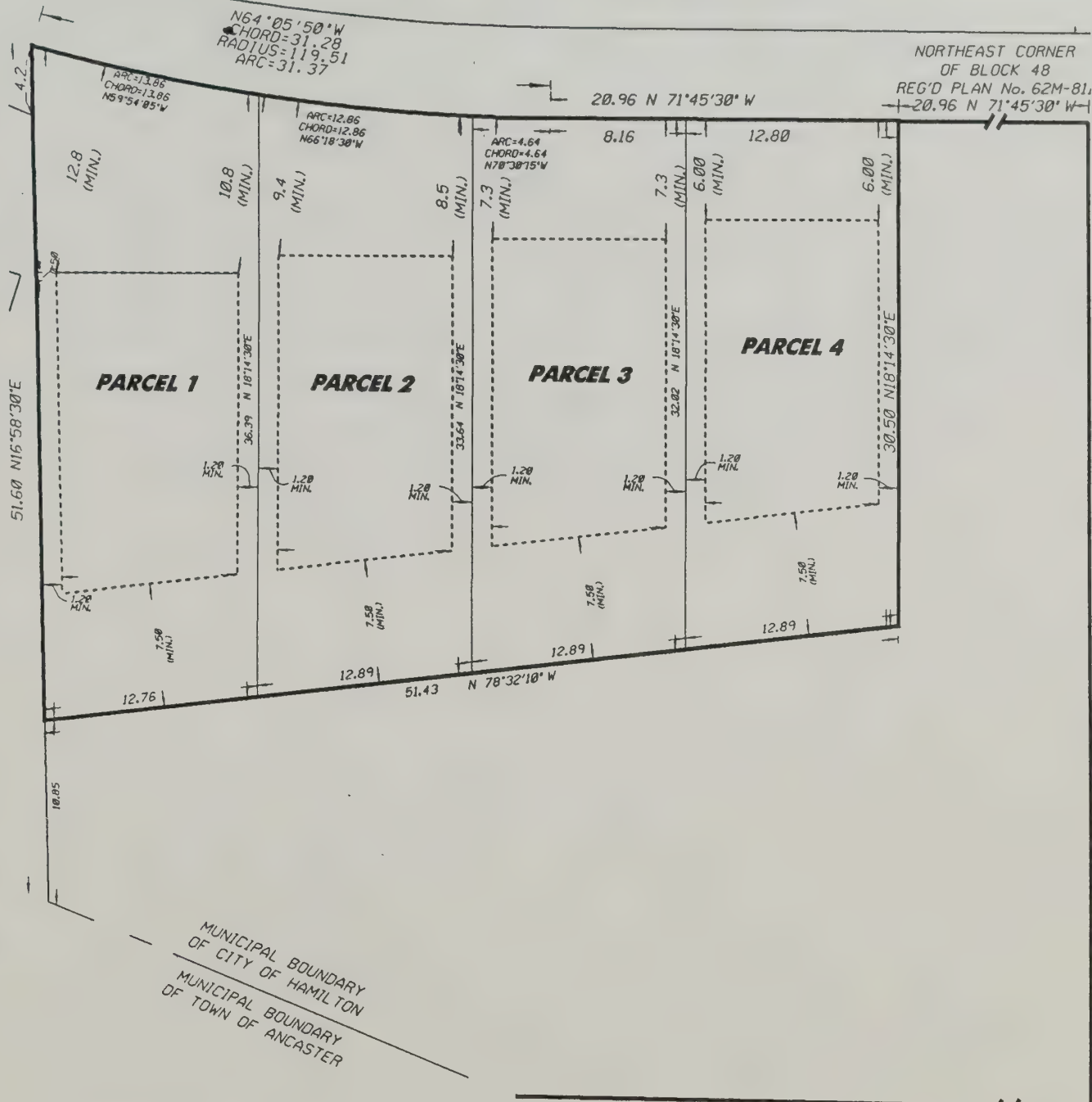
Scale
NOT TO SCALE

Date
May 1997

Reference File No.
ZAC-97-10

Drawn By
S.H.

UPPER HORNING ROAD



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-107
Passed the 13th day of May, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

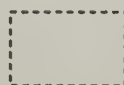
Schedule "B"

Map Forming Part of
By-Law No. 97-107

to Amend By-Law No. 6593

Planning and Development Department

Legend
change in Zoning:



Building Envelopes

North



Scale
NOT TO SCALE

Date
APRIL 1997

Reference File No.

ZAC-97-10

Drawn By

D. L.

The Corporation of the City of Hamilton

By-law No. 97- 108

To Authorize:

**A MUNICIPAL CAPITAL FACILITY AGREEMENT WITH THE
ART GALLERY OF HAMILTON**

WHEREAS the Art Gallery of Hamilton operates the Art Gallery of Hamilton which is a cultural, recreation and tourism service to the City of Hamilton;

AND WHEREAS Section 210.1 of the Municipal Act, authorizes a Council to enter into agreements for the provision of municipal capital facilities by any person and to exempt from taxation for municipal and school purposes the land, or a portion of it, on which municipal capital facilities are, or will be, located;

AND WHEREAS Section 207.58 of the Municipal Act authorizes a municipality to own, operate and maintain an Art Gallery;

AND WHEREAS Ontario Regulation 46/94 authorizes municipal capital facility agreements and tax exemptions for the provision of services related to cultural, recreation or tourist purpose;

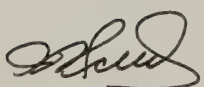
AND WHEREAS the City and the Art Gallery of Hamilton have proposed to enter into an Agreement to provide Municipal Capital Facilities for cultural, recreation or tourist purposes;

AND WHEREAS Council, on May 13, 1997, in adopting Section 1 of the Tenth Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton may enter into an agreement with The Art Gallery of Hamilton for the provision, management and maintenance of the municipal capital facility known as The Art Gallery of Hamilton at 123 King Street West, Hamilton, Ontario.
2. The municipal capital facility comprising The Art Gallery of Hamilton, located at 123 King Street West, Hamilton, is for the purposes of the Municipality and is for a public use.
3. The Clerk shall give written Notice of this By-law to the Minister of Education and Training.

PASSED this 13th day of May 1997.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

By-law No. 97- 109

To Declare:

**THE HAMILTON SOCIETY FOR THE PREVENTION OF CRUELTY TO
ANIMALS MUNICIPAL CAPITAL FACILITY TAX EXEMPT**

WHEREAS the Hamilton Society for the Prevention of Cruelty to Animals provides facilities for the protection, regulation and control of animals to The Corporation of the City of Hamilton under a Contract dated January 29, 1992;

AND WHEREAS Section 210.1 of the Municipal Act, authorizes a Council to enter into agreements for the provision of municipal capital facilities by any person and to exempt from taxation for municipal and school purposes the land, or a portion of it, on which municipal capital facilities are, or will be, located;

AND WHEREAS Ontario Regulation 46/94 authorizes municipal capital facility agreements and tax exemptions for the municipal facilities for the protection, regulation and control of animals;

AND WHEREAS By-law No. 97-028 was enacted on February 11, 1997 to authorize an Agreement to provide a municipal capital facility between the City and the Society;

AND WHEREAS the City and the Society have entered into an Agreement to provide Municipal Capital Facilities for the protection, regulation and control of animals;

AND WHEREAS Council, on May 13, 1997 in adopting Section 11 of the Tenth Report of the Finance and Administration Committee authorized this By-law;

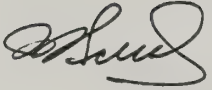
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Hamilton Society for the Prevention of Cruelty to Animals is granted a tax exemption for the premises located at 245 Dartnall Road, Hamilton, Ontario.
2. The tax exemption given in Section 2 shall not include taxes or rate levied under Sections 218 or 222 of the Municipal Act.
3. The Clerk shall give written Notice of this By-law to
 - (a) The Minister of Education;
 - (b) The Assessment Commissioner;
 - (c) The Clerk of The Regional Municipality of Hamilton-Wentworth; and

(d) The Secretaries of the Hamilton Public School Board and The Hamilton-Wentworth Separate School Board.

4. This By-law takes effect on its date of enactment.

PASSED this 13th day of May 1997.



CITY CLERK



MAYOR

BY-LAW NO. 97 - 110

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 13th DAY OF MAY, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

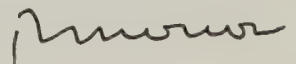
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 13th day of May 1997



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 97-111

To Authorize:

**DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT**

184 KENSINGTON AVENUE NORTH

WHEREAS a Notice dated the **13th of December, 1996** was served or caused to be served in accordance with Subsection 6 of Section 31 of The Planning Act, R.S.O. 1990, Chapter P.13, as amended;

AND WHEREAS an Order dated the **10th of January, 1997** was served or caused to be served in accordance with Subsection 7 of Section 31 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with Subsection 16 of Section 31 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described as municipal number 184 Kensington Avenue North, Lot 147, Plan No. 378, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No. 94-185, as amended, and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Subsection 20 of Section 31 of the said Act, the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

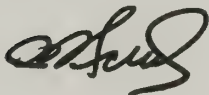
AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Section 39(1)(c)(ii) of The Property Standards By-Law No. 94-185, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which such amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in like manner as municipal realty taxes.

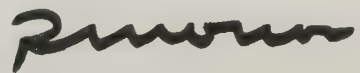
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land known as **184 Kensington Avenue North**, more particularly described as Lot 147, Plan No. 378, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in like manner as municipal realty taxes.

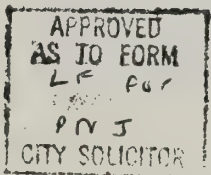
PASSED this *27th* day of *May* A.D. 19 *97*



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 97- 112

To Amend:

Zoning By-law No. 6593

Respecting:

PARKING STANDARDS FOR SINGLE-FAMILY DWELLINGS

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 4th Report of the Planning and Development Committee at its meeting held on the 11th day of March 1997, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to the parking standards for single-family dwellings and associated technical definitions, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(2)J.(xxi) of Zoning By-law No. 6593 is amended by deleting the existing definition of "'Storey, Attic" or "Storey, Half"' and replacing it with the following:

"(xxia) **"Storey, Attic"** shall mean the portion of a building situated wholly, or in part, within the roof and which is not a half-storey;

(xxib) **"Storey, Half"** shall mean the portion of a building situated wholly or in part within a sloping roof and in which:

(a) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3 m (7 feet, 7 inches) over a floor area equal to at least fifty percent of the area of the floor; or,

(b) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.1 m (6 feet, 11 inches) over all of the area of the floor."

2. Section 18A of Zoning By-law No. 6593 is amended by adding two new clauses (7a) and (7b) as follows:

- "(7a) Notwithstanding Subsection (7), for a single family dwelling where more than 1 parking space is provided in an attached garage, then an open stairway may project into the length of the required parking space not more than 0.75 metre provided that the height of the stairway does not exceed 0.5 metre."
- (7b) Where a dwelling is constructed with an attached garage, then the finished level of the garage floor shall be a minimum of 0.3 metres above grade."

3. Column 1 and Column 2 of TABLE 1 of Section 18A. of Zoning By-law No. 6593 is amended by deleting paragraph 1.(a) and replacing it with the following:

"1. Residential Uses

- (a) Single family dwelling (a) 2 parking spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room;"

4. Subsection 18A.(10) of Zoning By-law No. 6593 is deleted in its entirety and replaced with the following:

"sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space."

5. Subsection 18A. of Zoning By-law No. 6593 is amended by adding a new clause (14h) as follows:

"For the purpose of a single family dwelling, the following shall apply:

- (i) only one of the required parking spaces may be located in the front yard, and
- (ii) notwithstanding subsection 10, only the accessibility to one of the required parking spaces may be obstructed by any other required parking spaces."

6. Subsection 18A.(14d), (14f) and (14g) of Zoning By-law No. 6593 are amended by replacing the word "and" with a comma after (14a) and adding the words "and (14h)" after (14b) in the first phrase of each clause and the phrases shall read as follows:

- (14d) "For the purpose of clauses (14a), (14b) and (14h),"
- (14f) "Notwithstanding clauses (14a), (14b) and (14h),"
- (14g) "Except as provided for in clauses (14a), (14b) and (14h),"....

7. Subsection 18A.(32) of Zoning By-law No. 6593 is deleted in its entirety and replaced with the following:

"Sufficient space additional to required loading space shall be provided and maintained on the same lot on which the loading space is located, in such a manner as to enable each and every loading space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space."

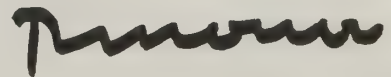
8. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

9. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of May A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

By-law No. 97- 113

To Declare:

**THE ART GALLERY OF HAMILTON'S MUNICIPAL
CAPITAL FACILITY TAX EXEMPT**

WHEREAS the Art Gallery of Hamilton provides facilities used for cultural, recreational and tourist purposes for The Corporation of the City of Hamilton;

AND WHEREAS Section 210.1 of the Municipal Act, authorizes a Council to enter into agreements for the provision of municipal capital facilities by any person and to exempt from taxation for municipal and school purposes the land, or a portion of it, on which municipal capital facilities are, or will be, located;

AND WHEREAS Ontario Regulation 46/94 as amended by Regulation authorizes municipal capital facility agreements and tax exemptions for the municipal facilities used for cultural, recreational and tourist purposes;

AND WHEREAS By-law No. 97-108 was enacted on May 13, 1997 to authorize an Agreement to provide a municipal capital facility between the City and the Art Gallery of Hamilton;

AND WHEREAS the City and the Art Gallery of Hamilton have entered into an Agreement to provide Municipal Capital Facilities used for cultural, recreational and tourist purposes;

AND WHEREAS Council, on May 27, 1997, in adopting Section 14 of the Twelfth Report of the Finance and Administration Committee authorized this By-law;

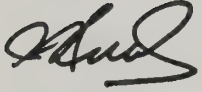
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Art Gallery of Hamilton is granted a tax exemption for the Art Gallery of Hamilton premises located at 123 King Street West, Hamilton, Ontario.
2. The tax exemption given in Section 2 shall not include taxes or rate levied under Sections 218 or 222 of the Municipal Act.
3. The Clerk shall give written Notice of this By-law to
 - (a) The Minister of Education;
 - (b) The Assessment Commissioner;
 - (c) The Clerk of The Regional Municipality of Hamilton-Wentworth; and

- (d) The Secretaries of the Hamilton Public School Board and The Hamilton-Wentworth Separate School Board.

4. This By-law takes effect on its date of enactment.

PASSED this 27th day of May 1997.



CITY CLERK



MAYOR

MAYOR

BY-LAW NO. 97 - 115

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF JUNE A.D., 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

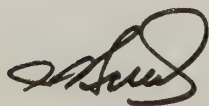
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11TH day of JUNE A.D. 1997



CITY CLERK



MAYOR

URBAN MUNICIPAL

JUN 30 1997

GOVERNMENT DOCUMENTS

CITY OF HAMILTON
B91

BILL NO. A - 35

BY-LAW NO. 97 - 116

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

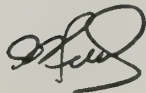
Schedule 7 (Weight Restrictions on Certain Bridges) of By-law 89-72 To Regulate Traffic passed on the 24th day of June 1997 is hereby amended by deleting therefrom the following item, namely:-

"Mountain Park bridge over Sherman Cut 2 tonnes".

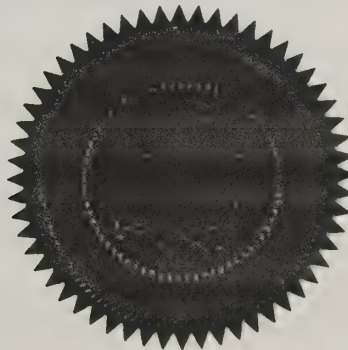
PASSED this 24th

day of June

A.D. 1997.



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-117

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That Section 40 of said By-law is hereby amended by deleting, in its entirety, Subsection (i), and by inserting in its place the following Subsection, namely:-

"(i) Within 20 feet of any signalized intersection, except buses at a sign marking a bus stop as listed in schedule 21 or 23 of this by-law."

2. That Subsection (j) of Section 40 of said By-law is hereby amended by adding, subsequent to the phrase "except buses at a sign marking a bus stop listed in schedule 21 or 23" in the last line thereof, the following statement, namely:-

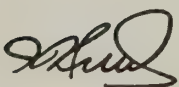
", and save that this provision shall not apply to the parking of a vehicle temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, within a loading bay constructed adjacent to the through lanes of the roadway and designated as such in the appropriate schedule subjoined to this by-law"

3. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

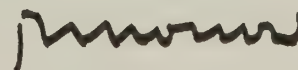
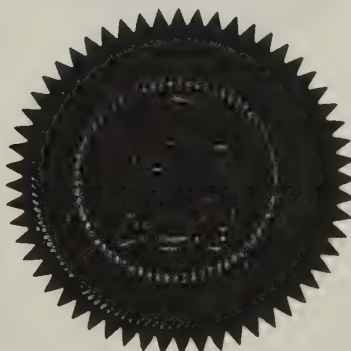
PASSED this 24th

day of June

1997.



CITY CLERK



MAYOR

BY-LAW NO. 97 - 118

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Acadia (Northerly)	Eastbound and Westbound	Butler (Westerly)
Graham	Northbound and Southbound	Monterey
Montrose	Eastbound	Erin."

2. Schedule 29 (No Stopping Areas) of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Beland	East	Queenston to 100 ft. north	Anytime."
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3. Schedule 30 (Commercial Vehicle Loading Zones) of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Cathcart	East	28 ft.	44 ft. north of Wilson	8:00 a.m. - 6:00 p.m. Monday to Saturday."
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4. Schedule 35 (Wheelchair Loading Zones) of said By-law is hereby amended by adding thereto the following items, namely:-

"Colin	East	40 feet	64 feet north of Towercrest	Anytime
Park Row North	East	21 feet	79 feet south of Roxborough	8:00 am - 6:00 pm."

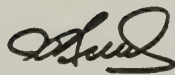
and by deleting therefrom the following item, namely:-

"Prospect	East	26 ft.	181 ft. south of Main	8:00 am - 8:00 pm Monday to Friday."
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PASSED this 24th

day of June

A.D. 1997.



CITY CLERK




MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 119

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 24 (Parking Meter Locations)** of said By-law is hereby amended by deleting therefrom, in its entirety, **Subsection 1** thereof, and replaced with the following:
 - "1. Three Hour Limit, on the following streets and parts of streets, excepting such parts of same where parking or stopping is prohibited.

- (a) At the rate of fifty cents per hour.

<u>Street</u>	<u>Side</u>	<u>Location</u>
Mary	East	King to King William
King William	North	John to Wellington
Jarvis	Both	King William to the southerly end
Ferguson	Both	King to Wilson

- (b) At the rate of one dollar per hour.

Herkimer	Both	James to Park
Hunter	Both	James to MacNab
Jackson	North	From 171 feet east of Hess to Caroline
Jackson	South	Hess to 252 feet easterly
King (Northerly Branch)	Both	Paisley to Marion
King (Southerly Branch)	Both	Paisley to Marion
Robinson	Both	Park to MacNab."

2. That **Schedule 24** of said By-law shall be further amended by adding to **Part 2(A)** thereof the following items, namely:-

"Jackson	North	Catharine to Ferguson
Rebecca	North	Catharine to Ferguson."

and by deleting from **Part 2(B)** thereof the following item, namely:-

"Jarvis	East	King William to southerly end
Jackson	North	Catharine to Walnut
Jackson	North	Walnut to Ferguson
Rebecca	North	Catharine to Mary
Rebecca	North	Mary to Ferguson."

5. That **Schedule 24** of said By-law shall be further amended by adding to **Part 3(A)** thereof the following item, namely:-

"Catharine	West	Jackson to Rebecca
Hughson	East	Jackson to Main."

and by deleting from **Part 3(B)** thereof the following item, namely:-

"Hughson	East	Jackson to Main."
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6. That **Schedule 26 (No Parking Areas)** of said By-law shall be amended by adding thereto the following item, namely:-

"Catharine	West	Jackson to Hunter	Anytime."
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and by deleting the following items, namely:-

"Catharine	West	Main to Hunter	Anytime
Jarvis	West	King William to southerly end	Anytime
King William	North	John to Catharine	Anytime
King William	North	Catharine to Mary	Anytime
King William	North	Mary to Ferguson	Anytime
King William	North	Wellington to Ferguson	Anytime
King William	North	From 183 ft. west of Wellington to 174 ft. westerly	Anytime
Mary	East	King to King William	Anytime."

7. That **Schedule 29 (No Stopping Areas)** of said By-law be amended adding thereto the following items, namely:-

"Catharine	West	Rebecca to Main	7-9 a.m.	Mon-Fri
			4-6 p.m.	Mon-Fri."

and by deleting therefrom the following items, namely:-

"Catharine	West	Rebecca to Main	Anytime."
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8. That **Schedule 28 (Taxi Stands)** of said By-law be amended by adding thereto the following item, namely:-

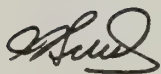
"King	North	110 feet	John to Catharine	Anytime."
(South Branch)				

9. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

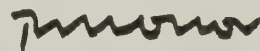
PASSED this 24th

day of June

1997.



CITY CLERK



MAYOR

BY-LAW NO. 97 -120

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

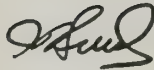
1. Schedule 23 (Hamilton Street Railway) of By-law 89-72, To Regulate Traffic, passed on the 28th day of February 1989, is hereby amended by adding to the Inbound column thereof the following item, namely:-

"Nash Road, 545' north of Denten (MB)."

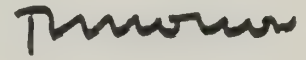
PASSED this 24th

day of June

A.D. 1997.



CITY CLERK



MAYOR

BY-LAW NO. 97 - 121

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 25 (Parking Time Limits) of By-law 89-72 To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding thereto the following items, namely:-

"Devonport	East	Tom to 171 feet south of York	1 hr.	8 am - 9 pm	Mon - Sun
Devonport	West	Tom to York	1 hr.	8 am - 9 pm	Mon - Sun
Nelson	South	Locke to Pearl	1 hr.	8 am - 8 am (24 hrs)	Mon - Sun
Ferguson	East	commencing 30 feet south of Hunter and extending 115 feet southerly therefrom	1 hr.	8 am - 8 am (24 hrs)	Mon - Sun
Ferguson	West	commencing 31 feet south of Hunter and extending 91 feet southerly therefrom	1 hr.	8 am - 8 am (24 hrs)	Mon - Sun
Keith	North	Wentworth to 157 feet westerly	1 hr.	8 am - 8 am (24 hrs)	Mon - Sun
Keith	South	Wentworth to 162 feet westerly	1 hr.	8 am - 8 am (24 hrs)	Mon - Sun."

and by deleting therefrom the following items, namely:-

"Devonport	Both	Tom to York	1 hr.	8 am - 8 am (24 hrs)	Mon - Sun
Devonport	East	commencing at a point 171 feet south of York to Tom	1 hr.	8 am - 5 pm	Mon - Fri
Devonport	West	Tom to York	1 hr.	8 am - 5 pm	Mon - Fri
Ferguson	East	commencing at a point 30 feet south of Hunter to a point 115 feet southerly therefrom	1 hr.	8 am - 6 pm	Mon - Sat
Ferguson	West	commencing at a point 31 feet south of Hunter to a point 91 feet southerly therefrom	1 hr.	8 am - 6 pm	Mon - Sat."

2. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Roanoke	North	commencing 92 feet east of Paradise and extending to the easterly end	Anytime
Roanoke	South	from Paradise to the easterly end	Anytime
Hunter	North	commencing at Locke and extending 87 feet westerly therefrom	Anytime."

3. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Fairfield	East	commencing 216 feet south of Britannia and extending 24 feet southerly therefrom	Anytime
Montmorency	North	commencing 312 feet west of the extended west curb line of Montmorency and extending 18 feet westerly therefrom	Anytime
Hunter	North	commencing 87 feet west of Locke and extending westerly to Poulette	Anytime."

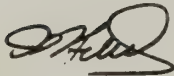
and by deleting therefrom the following item, namely:-

"Fairfield	East	commencing 343 feet south of Britannia and extending 18 feet southerly therefrom	Anytime
Park Row	East	commencing at a point 79 feet south of Roxborough to a point 21 feet southerly therefrom	Anytime
Hunter	North	Poulette to Locke	Anytime
Province	East	from a point 62 feet north of Cannon to a point 20 feet northerly therefrom	Anytime."

PASSED this *24th*

day of *June*

A.D. 1997.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 122

TO ALTER LIMERIDGE ROAD AT ITS INTERSECTION WITH
THE RED HILL CREEK EXPRESSWAY ON THE EAST AND WEST SIDES OF
UPPER JAMES STREET, UPPER WENTWORTH STREET
AND UPPER GAGE AVENUE

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, to pass by-laws to alter any highway under its jurisdiction;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth proposes to close Limeridge Road at its intersection with the Red Hill Creek Expressway;

AND WHEREAS it is necessary to alter Limeridge Road at its intersection with the Red Hill Creek Expressway, east and west of Upper James Street, Upper Wentworth Street and Upper Gage Avenue;

AND WHEREAS the Council of the Corporation of the City of Hamilton at its meeting held on 24 June 1997, in adopting Section of the th Report of Transport and Environment Committee, authorized the alteration of Limeridge Road;

AND WHEREAS Notice of this by-law was published has been published once a week for four successive weeks;

AND WHEREAS the Council of the Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, whether in objection to, or in support of this by-law.

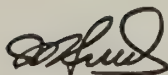
NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The alteration of Limeridge Road at its intersection with the Red Hill Creek Expressway on the west side of each of Upper James Street, Upper Wentworth Street and Upper Gage Avenue by the construction of a cul-de-sac, be proceeded with.
2. The alteration of Limeridge Road at its intersection with Ridge Street, the westerly entrance to the Limeridge Mall and with Birchview Drive, be altered by closing the westerly approach, be proceeded with.
3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to implement these works.

PASSED this 24th

day of June

A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 123

TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 1 & 6 ON PLAN 62R-14013
INTO PRITCHARD ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Pritchard Road within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Pritchard Road.

Part of Lot 34, Concession 7 in the geographic Township of Saltfleet designated as Parts 1 & 6 on Plan 62R-14013.

City of Hamilton

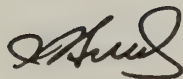
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 24th

day of June

A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-124

TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 13 ON PLAN 62R-11742
INTO LIMERIDGE ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Limeridge Road within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Limeridge Road.

Part of Lot 10, Concession 7 in the geographic Township of Saltfleet designated as Parts 13 on Plan 62R-11742.

City of Hamilton

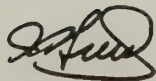
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

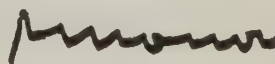
PASSED this 24th

day of June

A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 125

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-13866
INTO LORENZO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Lorenzo Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Lorenzo Drive.

Part of Lot 13, Concession 7 in the geographic Township of Barton designated as Part 1 on Plan 62R-13866.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 24th

day of June

A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-126

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-13265
INTO CHESLEY STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Chesley Street within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Chesley Street.

Part of Lot 16, Concession 8 in the geographic Township of Barton designated as Part 1 on Plan 62R-13265.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 24th

day of June

A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-127

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK B ON PLAN M-47
INTO ROUGE HILL COURT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Rouge Hill within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Rouge Hill Court.

All of Block B on Plan M-47.

City of Hamilton

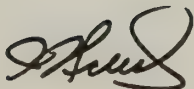
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

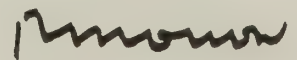
. PASSED this 24th

day of June

A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-128

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 14 ON PLAN 62M-801
INTO BOLZANO COURT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Bolzano Court within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Bolzano Court.

All of Block 14 on Plan 62M-801.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

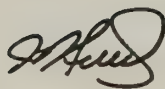
2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

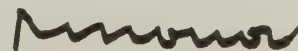
PASSED this 24th

day of June

A.D. 1997



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-129

TO AUTHORIZE THE SALE OF CITY LANDS DESCRIBED AS
PARTS 1 TO 3 INCLUSIVE ON PLAN 62R-10952 BEING
LANDS RESERVED FOR STREET AS CLOSED BY JUDGE'S ORDER VM142967
ON REGISTERED PLAN 851 NOW KNOWN AS 45 OWEN PLACE AND
PARTS 2 AND 3 ON PLAN 62R-11410 BEING PART OF
LEAWAY AVENUE AS CLOSED BY JUDGE'S ORDER VM160037
NOW KNOWN AS 817 & 821 STONE CHURCH ROAD EAST

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 29 of the 4th Report and Items 26 & 27 of the 3rd Report of the Transport & Environment Committee on 1997 April 29 and 1997 March 11 respectively authorized the City to sell properties described as the "Reserved for Street" on Registered Plan 851, said street having been closed by Judge's Order Registered as Instrument Number 142967, being Parts 1 to 3 inclusive on Plan 62R-10952, now known as 45 Owen Place and part of Leaway Avenue, Registered Plan 1059, said Leaway Avenue having been closed by Judge's Order Registered as Instrument Number 160037, described as Parts 2 and 3 on Plan 62R-11410 now known as 817 and 821 Stone Church Road East.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of the property described as the closed "Reserved for Street" on Registered Plan 851, described as Parts 1 to 3 inclusive on Plan 62R-10952, now known as 45 Owen Place.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Be hereby authorized.

2. That Part 1, Plan 62R-10952 be offered to abutting owner(s) at 41 Owen Place for a sum of \$28,550 and Parts 2 and 3 on Plan 62R-10952 be offered to abutting owner(s) at 49 Owen Place for a sum of \$28,550.

TO AUTHORIZE THE SALE OF CITY LANDS DESCRIBED AS PARTS 1 TO 3 INCLUSIVE ON PLAN 62R-10952 BEING LANDS RESERVED FOR STREET AS CLOSED BY JUDGE'S ORDER VM142967 ON REGISTERED PLAN 851 NOW KNOWN AS 45 OWEN PLACE AND PARTS 2 AND 3 ON PLAN 62R-11410 BEING PART OF LEAWAY AVENUE AS CLOSED BY JUDGE'S ORDER VM160037 NOW KNOWN AS 817 & 821 STONE CHURCH ROAD EAST

1997 June 9

3. In the event the owners in Item 2 above do not accept the offers within thirty (30) days of passing of this By-Law, that the soil and freehold of said lands described in Item 1 of this By-Law (along with other City land being Parts 4 to 6 inclusive on Plan 62R-10952) be sold to John W. Mudjar and Mary E. Mudjar for the sum of \$57,100, in accordance with the provisions of the agreement dated 1997 April 10.
4. That the sale of the property described as part of closed Leaway Avenue described as Part 3 on Plan 62R-11410 now known as 817 Stone Church Road East.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Be hereby authorized.

5. That Part 3, Plan 62R-11410 be offered to abutting owner(s) at 813 Stone Church Road East for a sum of \$30,010.
6. In the event the owners in Item 5 above do not accept the offers within thirty (30) days of passing of this By-Law, that the soil and freehold of said lands described in Item 4 of this By-Law (along with other City land being Part 4 on Plan 62R-11410) be sold to Racing Construction Limited for the sum of \$30,010 in accordance with the provisions of the agreement dated 1997 February 20.
7. That the sale of the property described as part of closed Leaway Avenue described as Part 2 on Plan 62R-11410 now known as 821 Stone Church Road East.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

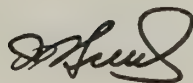
Be hereby authorized.

8. That Part 2, Plan 62R-11410 be offered to abutting owner(s) at 823 Stone Church Road East for a sum of \$30,010.
9. In the event the owners in Item 8 above do not accept the offers within thirty (30) days of passing of this By-Law, that the soil and freehold of said lands described in Item 7 of this By-Law (along with other City land being Part 5 on Plan 62R-11410) be sold to Mario Restauri for the sum of \$30,010 in accordance with the provisions of the agreement dated 1997 February 20.

PASSED this 24th

day of June

A.D. 1997



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97- 130

To Amend By-law No. 92-213

Respecting

THE RESTORATION OF THE STEAM MUSEUM PUMPHOUSE

WHEREAS By-law No. 92-213 was enacted by Council on August 25, 1992 to authorize the Steam Museum Pumphouse Restoration at a cost of \$550,000.00 and to authorize the sale of debentures in the amount of \$550,000.00;

AND WHEREAS the City and the Government of Canada entered into a cost sharing agreement to restore the pumphouse at a total cost of \$1,100,000.00;

AND WHEREAS the Government of Canada contributed \$550,000 to the restoration project;

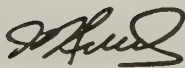
AND WHEREAS Council, on April 29, 1997, in adopting Section 8 of the 4th Report of the Parks and Recreation Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

The gross project cost of the Restoration of the Steam Museum is amended as follows:

<u>Project</u>	<u>Gross Cost</u>	<u>Federal & Provincial Subsidies</u>	<u>Debenture Amount</u>	<u>Term of Debenture</u>
Steam Museum Pumphouse Restoration	\$1,100,000	\$550,000	\$550,000	20 years

PASSED this 24th day of June, 1997.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 131

To Adopt:

Official Plan Amendment No. 139

Respecting:

**LANDS LOCATED AT 412 ABERDEEN AVENUE WITHIN
THE KIRKENDALL NORTH NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 139 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 24th day of June

A.D. 1997



CITY CLERK



MAYOR

(1997) 9 R.P.D.C. 1, May 27
Whatmough Management Inc. (S. Whatmough), Owner
ZAC-97-11/412 Aberdeen Avenue

Actual Changes:

1. The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.67:

"In addition to the permitted uses set out in Subsection A.2.1 - Residential Uses, for those lands shown on Schedule "B-1" as SPECIAL POLICY AREA 72, and located at 412 Aberdeen Avenue, the sale or lending of new books and a second-hand goods shop involving only the sale or lending of used books on the ground floor will be permitted."

2. The following be added to Schedule "B-1" - Other Special Policy Areas:

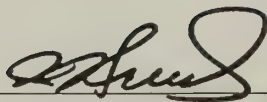
- Special Policy Area 72; and;
- "Area 72 refer to Policy A.2.9.3.67" in the legend, as shown on the attached Schedule "B-1" of this Amendment.

Implementation:

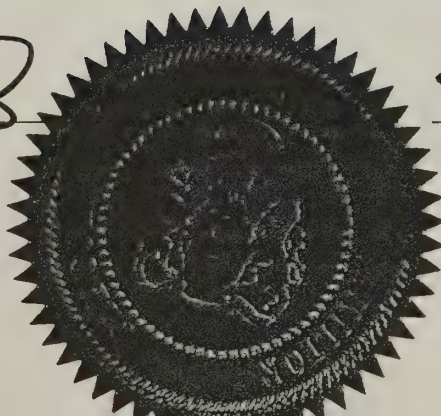
A Zoning By-law amendment will give effect to the intended use on the subject lands.

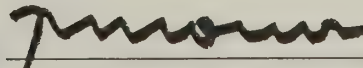
This is Schedule "1" to By-law No. 97- 131 , passed on the 24th day of June , 1997.

**The Corporation of the
City of Hamilton**



City Clerk





Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97- 132

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 412 ABERDEEN AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 139, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" are amended to the extent only of the special requirements that,

(a) notwithstanding Section 10.(1) of Zoning By-law No. 6593, the following shall be permitted:

(i) the sale or lending of new books and a second-hand goods shop involving only the sale or lending of used books carried on for remuneration entirely within the existing dwelling by an owner residing in the dwelling unit as their principal place of residence, subject to the following requirement:

(a) the sale or lending of new books and a second-hand goods shop involving only the sale or lending of used books shall be located on the ground floor of the existing building, with a maximum floor area of 84 m² (895 sq. ft.); and,

(ii) one non-illuminated business identification sign which is a name plate or a ground sign, subject to the following requirements:

- (a) the area of any sign shall not exceed 0.2 m² (2.15 sq. ft.);
- (b) a ground sign shall be located a minimum of 3.0 m (9.84 ft.) from the front lot line and east side lot line; and,
- (c) a ground sign shall have a maximum height of 1.0 m (3.28 ft.).

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1381.

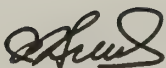
4. Sheet No. W-14 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1381.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 24th

day of June

A.D. 1997

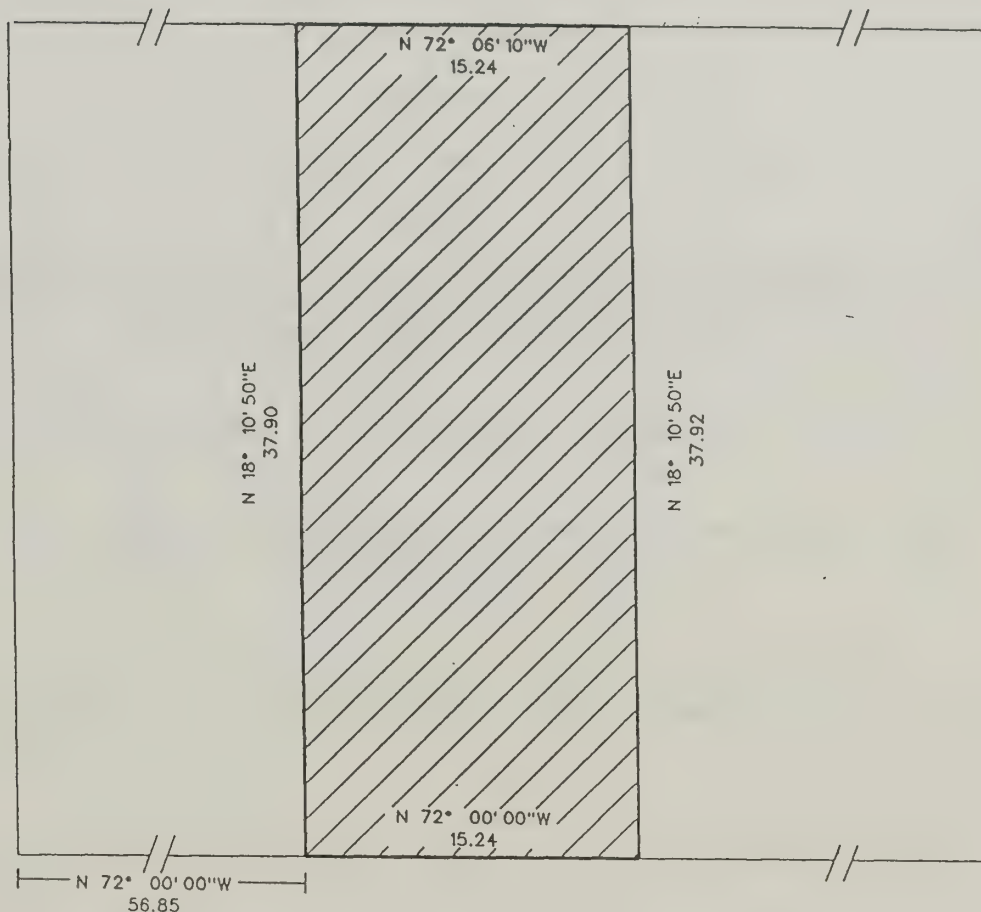


CITY CLERK




MAYOR

Dundurn Street South



Aberdeen Avenue

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-132...
Passed the 24th day of June, 1997.


Clerk


Mayor

City of Hamilton

Schedule A

Map forming Part of
By-Law No. 97-132...
to amend By-Law No. 6593

Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 97-132...

North



Scale
Not to Scale

Date
May 1997

Reference File No.
ZAC-97-11

Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 97-133

To Adopt:

Official Plan Amendment No. 138

Respecting:

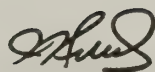
**LANDS LOCATED AT THE SOUTH-WEST CORNER OF RYMAL ROAD EAST AND
RYCKMAN STREET KNOWN MUNICIPALLY AS NO. 30 RYMAL ROAD EAST
WITHIN THE ALLISON NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 138 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 24th day of June

A.D. 1997



CITY CLERK



MAYOR

P. and J. Zourntos, P. Hatzoglou,
A. Tuite and P. Mancini, Owners
Ontario Municipal Board Order, dated June 5, 1997

Amendment No. 138
to the
City of Hamilton Official Plan

The following text constitutes Official Plan Amendment No. 138.

Purpose:

The purpose of this Amendment is to remove the prohibition of restaurant uses from the existing plaza located at No. 30 Rymal Road East.

Location:

The lands affected by this Amendment are located at the south-west corner of Rymal Road East and Ryckman Street, within the Allison Neighbourhood.

Basis:

The basis for permitting restaurant uses is as follows:

- 1) the implementing Zoning By-law will limit:
 - (i) access to the property to the existing access points which do not include Ryckmans Street;
 - (ii) the number and area occupied by restaurant uses; and,
 - (iii) seating permitted in the restaurant(s);to minimize the potential for any negative spillover effects (ie. parking, noise, litter, etc.) in the adjoining neighbourhood.
- 2) this amendment implements the order of the Ontario Municipal Board with respect to the subject property.

Actual Changes:

Policy A.2.9.3.41 is amended to delete the words ", **such as restaurants**," from the clause so that it now reads:

"Notwithstanding the permitted uses set out in Subsection A.2.2 - Commercial Uses, for those lands shown on Schedule "B" - Special Policy Areas, as SPECIAL POLICY AREA 46, and located at the south-west corner of Rymal Road East and Ryckman Street, high traffic generating uses will be prohibited. Further, vehicular access onto Ryckman Street from the affected lands will be prohibited."

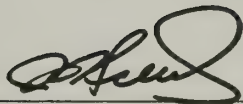
Implementation:

A Zoning By-law Amendment will give effect to the intended use of the subject lands.

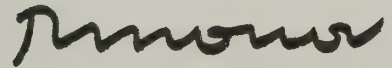
This is Schedule "1" to By-law No. 97-133 , passed on the 24th day of June , 1997.

The Corporation of the

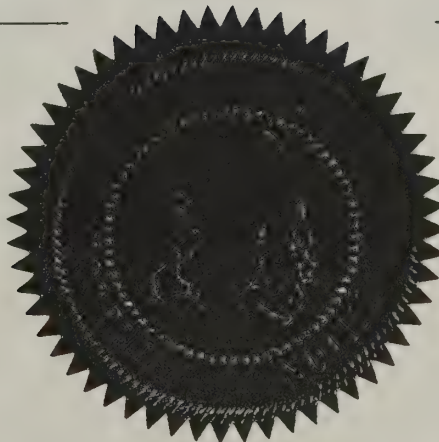
City of Hamilton



City Clerk



Mayor



schedule B-1 amendment no. 139 to the official plan for the city of hamilton

legend		
Special Policy Area 72 Refer to Policy A.2.9.3.67		
date	drawn by	reference file no.
May 1997	DW.	OPA 139

By-law No. 97-131



other special policy areas

legend	
12	A 2.9.3.10
13	A 2.9.3.11
14	A 2.9.3.12
15	A 2.9.3.13
25	refer to policy A 2.9.3.20
28	refer to policy A 2.9.3.23
39	refer to policy A 2.9.3.34
58	refer to policy A 2.9.3.53
65	refer to policy A 2.9.3.60

schedule B-1

to the official plan
for
the city of hamilton

May 1997

The Corporation of the City of Hamilton

BY-LAW NO. 97- 134

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 89-246

Respecting:

**LANDS LOCATED AT THE SOUTH-WEST CORNER OF RYMAL ROAD EAST AND
RYCKMAN STREET KNOWN MUNICIPALLY AS NO. 30 RYMAL ROAD EAST**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 89-246 on the 29th day of August 1989 to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "G-4" District, in respect of the land located at the south-west corner of Rymal Road East and Ryckman Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Ontario Municipal Board by its Order, dated the 5th day of June 1997, (Files No. Z 960074;O 960190), directed that By-law No. 89-246 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 138, approved by the Ontario Municipal Board by its Order, dated the 5th day of June 1997, (Files No. Z 960074;O 960190).

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2 of By-law No. 89-246 is amended by deleting clause (a) and replacing it with the following:

"(a) notwithstanding Section 13D.(1)B.(iv) of Zoning By-law No. 6593, the following **COMMERCIAL USE** shall be permitted:

1. Restaurant or refreshment room without dancing or other entertainment except music, on the following basis:

(i) a maximum of two restaurants with a total maximum gross floor area not to exceed 278.7 m² (3000 square feet) and a total maximum seating capacity of 80; and

(ii) no one restaurant shall exceed a total maximum gross floor area of 185.8 m² (2000 sq. ft.);"

2. Section 2 of By-law No. 89-246 is amended by adding thereto new clauses (b) and (c), as follows:

"(b) notwithstanding Section 13D.(1)B.(xvii) of Zoning By-law No. 6593, the following **COMMERCIAL USE** shall not be permitted:

1. A gun shop;

- (c) notwithstanding Section 13D.(1)B. of Zoning By-law No. 6593, the COMMERCIAL USES permitted in Section 14A of Zoning By-law No. 6593, shall be permitted, except for the following uses:

- (i) a brewers warehouse;
- (ii) a liquor dispensary;
- (iii) a hotel;
- (iv) a tavern;
- (v) a bowling alley;
- (vi) a billiard room
- (vii) a shooting gallery;
- (viii) a penny arcade;
- (ix) a public hall;
- (x) a music hall;
- (xi) a theatre;
- (xii) other place of amusement;
- (xiii) a massage parlour;
- (xiv) a public bath;
- (xv) an auctioneer's premise;
- (xvi) an auto body repair or auto body paint shop;
- (xvii) a billboard;
- (xviii) a roof sign;
- (xix) an automotive service station
- (xx) a car wash in conjunction with an automobile service station;
- (xxi) a public parking lot;
- (xxii) a fraternity or sorority house;
- (xxiii) a labour union hall;
- (xxiv) a district yard;
- (xxv) a college or university;
- (xxvi) a brew you own beer and wine shop;
- (xxvii) a butcher shop."

3. Section 2 of By-law No. 89-246 is amended by relettering clauses (b), (c) and (d) as (d), (e) and (f), respectively.

4. Clause (e) of Section 2 of By-law No. 89-246, as relettered, is amended by changing the letter "(b)" to "(d)" in the fifth line.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-4" District provisions, subject to the special requirements referred to in section 2 of By-law No. 89-246 and sections 1 and 2 of this by-law.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1123a.

7. Sheets No. E-9D and E-9E of the District Maps are amended by marking the lands referred to in section 1 of By-law No. 89-246, S-1123a.

8. In all other respects, By-law No. 89-246 is hereby confirmed, unchanged.

PASSED this 24th day of June

A.D. 1997



CITY CLERK




MAYOR

P. and J. Zourntos, P. Hatzoglou,
A. Tuite and P. Mancini, Owners
Ontario Municipal Board Order, dated June 5, 1997

The Corporation of the City of Hamilton

BY-LAW NO. 97- 135

To Adopt:

Official Plan Amendment No. 140

Respecting:

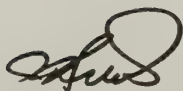
**LANDS WEST OF UPPER JAMES STREET, SOUTH OF STONE
CHURCH ROAD WEST, MEWBURN NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 140 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this *24th* day of *June*

A.D. 1997



CITY CLERK



MAYOR

schedule B
amendment no. 140
to the
official plan
for the
city of hamilton

legend		
	Lands to be Added to Special Policy Area 31	
	Lands to be Designated to Special Policy Area 31b	
	Lands to be redesignated to Special Policy Area 31b	
date	drawn by	reference file no
Jun 1997	D.W.	OPA 140

By-Law 97-135



special policy areas

AREA
REFER TO
POLICY

1(a)	A29.1.
1(b)	A29.1.
1(c)	A29.1.
2	A29.2.
3	A29.3.
4	A29.3.1.
5	A29.3.2.
6	A29.3.3.
7	A29.3.4.
8	A29.3.5.
9	A29.3.6.
10	A29.3.7.
11	A29.3.8.
11(a)	A29.3.9.
11(b)	A29.3.9.
11(c)	A29.3.14.
12	"Deleted"
13	A29.3.15.
14	A29.3.16.
15	A29.3.17.
16	A29.3.18.
17	A29.3.21.
18	A29.3.22.
19	A29.3.23.
20	A29.3.24.
21	A29.3.25.
22	A29.3.26.
23	A29.3.27.
24	A29.3.28.
25	A29.3.29.
26	A29.3.30.
27	A29.3.31.
28	A29.3.32.
29	"Deleted"
30	A29.3.35.
31	A29.3.36.
31(a)	A29.3.37.
31(b)	A29.3.38.
31(c)	A29.3.40.
32	A29.3.41.
33	A29.3.42.
34	"Deleted"
35	A29.3.44.
36	A29.3.45.
37	A29.3.46.
38	"Deleted"
39	A29.3.50.
40	A29.3.51.
41	A29.3.52.
42	A29.3.53.
43	A29.3.54.
44	A29.3.55.
45	A29.3.56.
46	A29.3.57.
47	A29.3.58.
48	A29.3.59.
49	A29.3.60.
50	A29.3.61.
51	A29.3.62.
52	A29.3.63.
53	A29.3.64.
54	A29.3.65.
55	A29.3.66.
56	A29.3.67.
57	A29.3.68.
58	A29.3.69.
59	A29.3.70.
60	A29.3.71.
61	A29.3.72.
62	A29.3.73.
63	A29.3.74.
64	A29.3.75.

Refer to Schedule B-1 for Special Policy Areas in the Downtown

schedule B

to the official plan
for
the city of Hamilton
95 5 25

Schedule A amendment no. 140

to the
official plan
for the
city of hamilton

legend

From "Residential" to "Commercial"

Date	Drawn By	Reference File no.
June 1987	D.W.	OPA 140

By-law No 97-135



DEFERRED NO D-6
UNDER SECTION 14(3) OF
THE PLANNING ACT

land use concept

legend

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schedule A
to the official plan
for
the city of hamilton

The Corporation of the City of Hamilton

BY-LAW NO. 97-136

To Amend:

Zoning By-law No: 6593

Respecting:

**LANDS LOCATED AT THE REAR OF
MUNICIPAL NOS. 1170-1180 UPPER JAMES STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, the lands comprised in Block 2 and 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 2 and 3, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(3)(ii) of Zoning By-law No. 6593, a side yard of a width of not less than 2.4 m shall be provided and maintained along the entire southerly lot line of Block 2;
- (b) a landscape area not less than 2.4 m in width shall be provided and maintained along the entire southerly boundary of Block 2, where the lot adjoins a commercial district;
- (c) notwithstanding section 9 of Zoning By-law No. 6593, only a 4.52 m planting strip shall be permitted on Block 3.

3. (a) The 'H' symbol applicable to the lands comprised in Blocks 1, 2 and 3 shall be removed conditional upon the applicant applying for and receiving approval of a Plan of Subdivision by the Region of Hamilton-Wentworth and approval of a landscape plan by the Director of Planning and Development for Block 2;

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "C" District provisions, subject to the special requirements referred to in section 2 of this by-law.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1366.

6. Sheet No. W-9B of the District Maps is amended by marking the lands referred to in section 1.(b) of this by-law, S-1366.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this *24th*

day of *June*

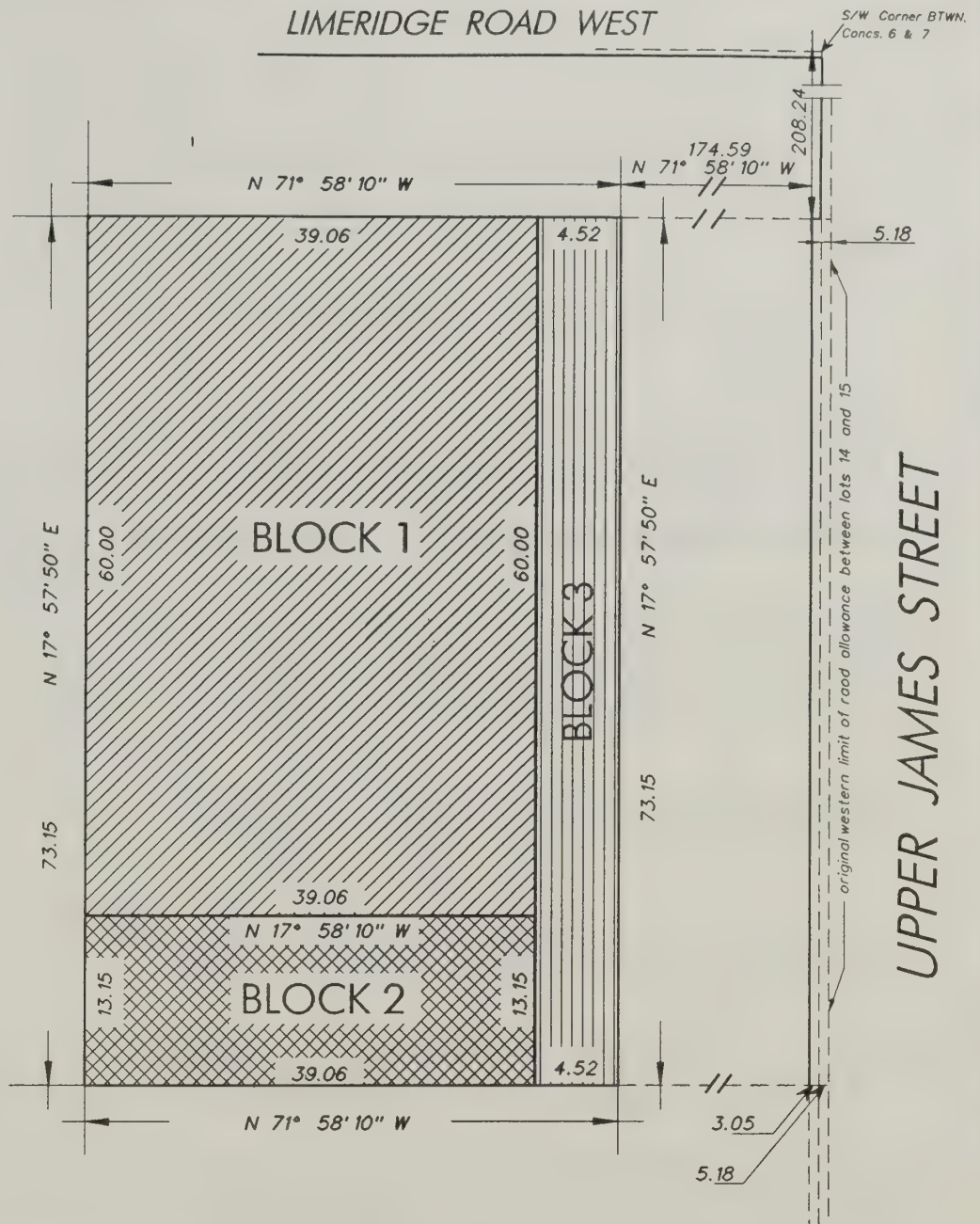
A.D. 1997



CITY CLERK




MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-136
Passed the 24th day of June, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

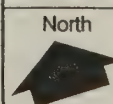
Map Forming Part of
By-Law No. 97-136
to Amend By-Law No. 6593

Planning and Development Department

LEGEND

Proposed change in Zoning from:

- BLK 1 "AA" (Agricultural) District to "C"-H' (Urban Protected Residential, etc. - Holding) District
- BLK 2 "AA" (Agricultural) District to "C"-H' (Urban Protected Residential, etc. - Holding) District, Modified.
- BLK 3 "AA" (Agricultural) District to "C"-H' (Urban Protected Residential, etc. - Holding) District, Modified.



Scale
NOT TO SCALE

Date
May 1997

Reference File No.
ZA-95-01
Drawn By
W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 97— 137

To Remove
Land within the "Rymal Estates" Subdivision, Plan 62M-679
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purposes of adjusting property lines to create 11 lots having a minimum lot width of 13.0 m from the existing 12 lots, shall not apply to the following lands:

Lots 67 to 78 inclusive within Registered Plan Number 62M-679, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on July 1, 1998.

PASSED this *24th* day of *June*

A.D. 1997.



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97-138

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED ON THE NORTH SIDE OF BARTON STREET WEST,
EAST OF CROOKS STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-11 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "K" (Heavy Industry, etc.) District to "L-mr-1" (Planned Development - Multiple Residential) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 24th

day of June

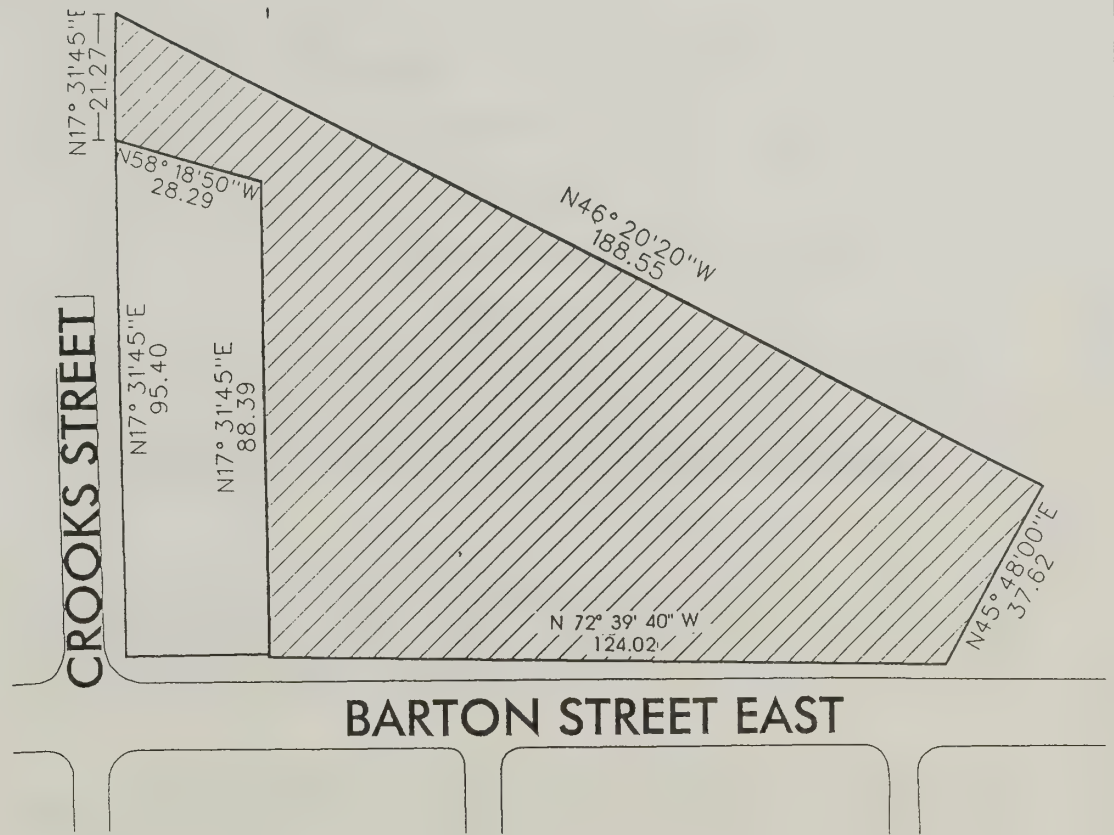
A.D. 1997.



CITY CLERK



MAYOR



[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-...138.
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change In Zoning From:



"K" (Heavy Industry, etc.) District to "L-mr-1"
(Planned Development - Multiple Residential)
District

North 	Scale Not to Scale	Reference File No. ZAR-97-15
	Date June 1997	Drawn By S.H.

The Corporation of the City of Hamilton

BY-LAW NO. 97 - 139

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED WEST OF UPPER JAMES STREET
AND EAST OF WEST FIFTH STREET,
THE REAR PORTION OF 1187 WEST FIFTH STREET AND
1514 UPPER JAMES STREET AND 1468-1500 UPPER JAMES STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 140, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "RT-20" (Townhouse-Maisonette) District modified, to "G-1"- 'H' (Designed Shopping Centre - Holding) District, the land comprised in Block 1;
 - (b) by changing from "AA" (Agricultural) District, to "G-1"- 'H' (Designed Shopping Centre - Holding) District modified, the land comprised in Block 2;
 - (c) by changing from "C" (Urban Protected Residential, etc.) District, to "G-1"- 'H' (Designed Shopping Centre - Holding) District modified, the land comprised in Block 3; and,
 - (d) by changing from "C" (Urban Protected Residential, etc.) District modified, to "G-1"- 'H' (Designed Shopping Centre - Holding) District modified, the land comprised in Block 4,

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land comprised in Blocks 1, 2, 3 and 4 shall be removed conditional upon,

- (i) the applicant/owner receiving approval of a storm water management study for Blocks 1 and 2 by the Commissioner of the Regional Environment Department; and,
- (ii) the applicant/owner applying for and receiving approval of a Site Plan Control Application from the City of Hamilton for Blocks 1, 2, 3 and 4;

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Blocks 1, 2, 3 and 4 may at such time proceed in accordance with the "G-1" District provisions.

3. The "G-1" (Designed Shopping Centre) District provisions, as contained in Section 13A of Zoning By-law No. 6593, applicable to the land comprised in Blocks 1, 2, 3 and 4 are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 13A.(1) of Zoning By-law No. 6593, only the following uses shall be permitted on Block 1:
 - (i) a day nursery;
 - (ii) a business or professional person's office;
 - (iii) a private club;
 - (iv) a library/museum;
 - (v) an art gallery; and,
 - (vi) a commercial school;
 - (vii) wall signs in accordance with the provisions of Section 13A.(1)(x) of Zoning By-law No. 6593;
- (b) notwithstanding Section 13A.(4)(a) of Zoning By-law No. 6593, a front yard of a depth of not less than 6.0 m shall be provided and maintained along the entire easterly boundary of Blocks 3 and 4;
- (c) notwithstanding Section 13A.(4)(a) of Zoning By-law No. 6593, no side yard shall be provided along the entire southerly boundary of Block 2;
- (d) notwithstanding Section 13A.(1)(xii) of Zoning By-law No. 6593, only one (1) shopping centre identification sign or business identification sign that is a ground sign and having a vertical dimension of not more than 6.0 metres, an aggregate area of vertical projection of not more than 1.0 square metres per 0.5 metres of street frontage of the lot, and located not less than 4.5 m from the Upper James Street street line shall be permitted;
- (e) notwithstanding clause 2.(2) J.(xb) of Zoning By-law No. 6593, one (1) directional sign at each point of ingress and egress, and each said sign of a size not exceeding 1.2 square metres (12.92 square feet) and the one ground sign referred to in the above clause (d) shall be permitted;
- (f) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination;

- (g) a minimum 6.0 m wide landscape area shall be provided and maintained along the entire easterly boundary of Blocks 3 and 4, except for any area used for driveway access;
- (h) a planting strip not less than 6.0 m in width and a visual/acoustical barrier between 1.8 m and 2.0 m in height shall be provided and maintained along the entire westerly lot line of Block 2, except for any area used for pedestrian access;
- (i) a planting strip not less than 6.0 m in width and a visual/acoustical barrier between 1.8 m and 2.0 m in height shall be provided and maintained along the entire northerly and westerly lot lines of Block 1;
- (j) notwithstanding Section 13A.(4) of Zoning By-law No. 6593, no southerly side yard shall be provided for the covered walkway that extends westerly for 105 m from the easterly boundary of Block 1.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-1" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1382.

6. Sheet No. W-9D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1382.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 24th

day of June

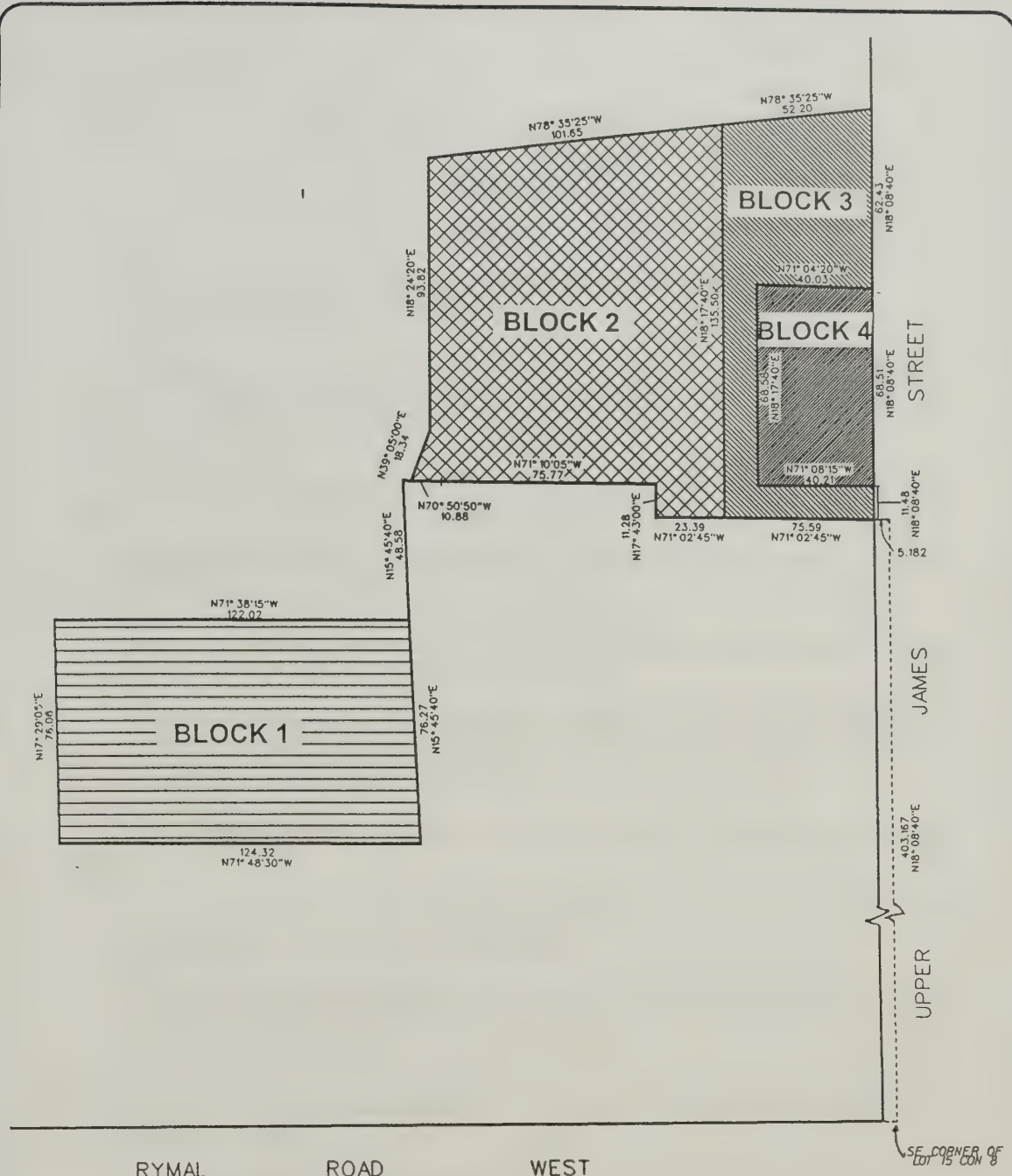
A.D. 1997



CITY CLERK




MAYOR



This is Schedule "A" to By-Law No. 97-139.
Passed the 24th day of June, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-139.
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

Block 1



"RT-20" (Townhouse-Maisonette) District modified to "G-1"
"H" (Designed Shopping Centre-Holding) District modified;

Block 2



"AA" (Agricultural) District modified to "G-1" "H" (Designed
Shopping Centre-Holding) District modified;

Block 3



"C" (Urban Protected Residential, etc.) District modified to
"G-1" "H" (Designed Shopping Centre-Holding)
District modified;

Block 4



"C" (Urban Protected Residential, etc.) District modified to
"G-1" "H" (Designed Shopping Centre-Holding)
District modified;



Scale
Not to Scale

Reference File No.
ZAC-97-08

Date June 1997

Drawn By D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 97-140

To Adopt

THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN

WHEREAS By-law No. 96-188, passed on the 12th day of November, 1996, designated the area shown on Schedule "A: thereto as a Community Improvement Project Area in accordance with subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS By-law No. 96-189 was enacted on the 12th day of November, 1996 to adopt the Downtown Hamilton Community Improvement Plan;

AND WHEREAS it is necessary to adopt a revised Downtown Hamilton Community Improvement Plan;

AND WHEREAS it is intended to adopt a Community Improvement Plan for the said area in accordance with subsection 28(4) of the said Act;

AND WHEREAS Council, on June 24, 1997, in adopting Section 3 of the 10th Report of the Planning and Development Committee, approved The Downtown Hamilton Community Improvement Plan and authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Downtown Community Improvement Plan hereto annexed as Schedule "A" and forming part of this By-law is hereby adopted.
2. It is hereby authorized and directed that the approval of the Community Improvement Plan referred to in Section 1 shall include approval for the doing of all things for the purpose thereof.
3. This By-law comes into force and effect on the date of its approval by the Ministry of Municipal Affairs.
4. By-law No. 96-189 is hereby repealed.

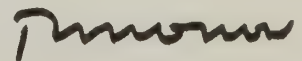
PASSED this 24th

day of June

, 1997.



CITY CLERK



MAYOR

DOWNTOWN HAMILTON

COMMUNITY IMPROVEMENT PLAN

1997 May 29

1. INTRODUCTION

The purpose of this Community Improvement Plan is two-fold: i) to provide the context for a co-ordinated municipal effort to improve the physical, economic and social climates of the Downtown; and ii) to meet the legislative requirements of the community improvement provisions of the Planning Act, Section 28 that allows a municipality to provide loans and grants as are stipulated in the Plan.

The initiatives identified in the Plan are intended to stimulate private investment, property maintenance and renewal in the Downtown. The focus of these initiatives, and of the Community Improvement Plan, is to foster an environment that will: increase the supply of residential units within the Downtown; ensure a viable Downtown population; encourage the provision of unique or specialized attractions and public facilities; encourage the location of community events; and, encourage public improvement such as streetscape improvements and pedestrian amenities.

The Community Improvement Plan is not intended to provide an exhaustive list of revitalization projects that may be undertaken to stimulate community improvement. The objective of the Plan is to provide a context for Downtown revitalization projects, and to guide the municipal decision-making process so that actions are undertaken that are supportive of, and instrumental in, encouraging Downtown renewal. This Plan provides a framework to better identify projects, and makes reference to many initiatives that have been previously identified for Downtown revitalization. These projects all involve many steps, and will, in some cases, require dedicated funding. Given the current economic realities, reliance on projects that will require public funding to encourage redevelopment and revitalization will not accomplish the goal of creating and maintaining a vibrant, healthy Downtown. The role of the municipality is to provide incentives and remove barriers for development. The Downtown Hamilton Community Improvement Plan can provide a context and reference point for developing specific community improvement projects, as well as identifying actions that can be undertaken in a more co-ordinated manner that will foster Downtown renewal.

Like many other municipalities across Ontario, the viability of Hamilton's downtown area has declined in recent years. Factors contributing to the decline are numerous and include the following:

- the absence of new housing developments;
- a system of traffic flows and patterns that is not as user-friendly for pedestrian and cyclists and urban street life;
- assessed property values that no longer reflect market property values;
- shifting consumer retail shopping preferences;
- the lingering economic recession and the "jobless recovery";
- consumer preferences for a suburban atmosphere or "way-of-life" as opposed to a central city ambience; and,

- minimal marketing promotion of the advantages of Downtown Hamilton to prospective businesses and potential residents;

Yet, in spite of Downtown Hamilton's recent difficulties, there is a tremendous untapped potential:

- a population base of some 26,000 residents;
- a personal Disposable household income of residents in excess of \$500 million;
- slightly over 38,000 jobs located in the downtown;
- a strong entrepreneurial spirit among downtown merchants;
- a clear civic commitment from residents of downtown neighbourhoods;
- connections to the West Harbourfront Area and potential redevelopment;
- the Art Gallery of Hamilton, Central Public Library, Hamilton Place, duMaurier Centre, Copps Coliseum, Gore Park, Jackson Square, Hamilton Eaton Centre and City Hall which are all key anchors that underpin the vitality of the downtown community;
- the availability of low-cost customer parking; and,
- a stable population base and the socio-economic characteristics of downtown residents.
- high accessibility compared to some other major centres e.g. Toronto

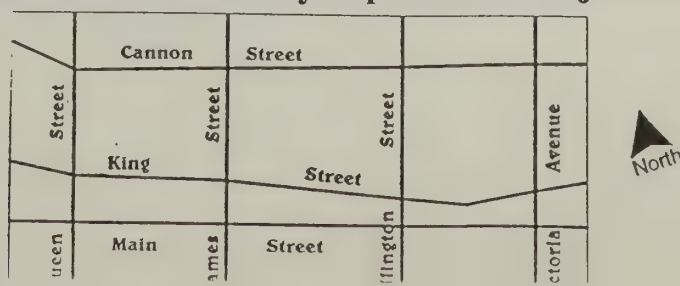
Since 1846, Downtown Hamilton has been the cultural, social and historical centre of the greater Hamilton community. In an era of "cookie-cutter" municipalities, a key strength of the City of Hamilton and the Region of Hamilton-Wentworth is its clearly identifiable City Centre - Downtown Hamilton. This area provides a unique urban ambience unparalleled in greater Hamilton. The strength and vitality of Hamilton's downtown is a clear signal of the strength and vitality of our community as a whole. The co-ordinated commitment to Hamilton's Downtown is a commitment from all citizens of Hamilton-Wentworth to the betterment of their community.

The challenges facing downtown Hamilton are challenges which face our broader community and cannot be ignored.

2. AREA OF COMMUNITY IMPROVEMENT PLAN

The Downtown Community Improvement Plan applies to the lands identified in the Downtown Community Improvement Project Area (CIPA). The CIPA is bounded northerly by Cannon Street, southerly by Hunter Street, westerly by Queen Street and easterly by Victoria Avenue (as identified in Figure 1).

FIGURE 1. The Downtown Community Improvement Project Area:



3. VISION OF THE DOWNTOWN

Generally the City of Hamilton is striving to achieve the following Mission Statement:

"That the downtown be a community where people wish to live, work and visit".

As such, it is important that the downtown provide the following elements:

- it is integrated, safe, and healthy;
- it links a number of communities and facilities together;
- it is easily accessible and encourages walking, stopping and parking;
- it is a community for young families, aging population, student population, professionals, knowledge workers, workers, regional functions, world class business innovators, visitors, and gentry;
- it offers destination shopping and niche marketing;
- it appeals to those looking for 'creature-comforts'; and,
- it appeals to growing trends in do-it-yourself, cottage industry, home-based businesses, arts and crafts, hobbyists, etc. (e.g. lifelong learning, wine making, gardening, culinary arts and cooking, etc.)

It has been a common theme that the ultimate objective in terms of achieving a specific result is to have more people in the downtown to spend and invest their money. By inference, if the City of Hamilton is successful in assisting in programs which bring a substantially higher number of people downtown and these people spend money and invest in downtown, it will become a viable regional centre.

The three components of the Mission Statement for the downtown should be targeted for special attention. While all three involve people, it is hoped that these three groupings form the basis of action and direction of the City of Hamilton.

a) Those People Who Live in Downtown

Much of the literature related to rejuvenation of downtown areas calls for increasing the amount of housing in the downtown area. The objective of the City in this sector will be to establish a comfortable, safe, and dynamic residential community.

Specific initiatives that have and are to be considered include:

- implementation of the Convert-to-Rent Program;
- investigate improved transit;

- initiate a marketing program to illustrate the affordability of moving in downtown Hamilton compared to locations closer to Toronto;
- investigate linkages between housing development in the downtown and access to the GO Station; and,
- fee rebates for new development and redevelopment projects, waiving the parking requirements and the 5% parkland dedication.

b) Those People Who Work Downtown

For this group of people, the ultimate objective is for them to either generate a profit in downtown or provide a specific service to those in the downtown core. Those groups who wish to generate a profit in downtown include existing businesses (retail, office, service sector, hotels), owners of existing buildings and owners of vacant land. Programs will have to be devised to enhance existing business operations and to attract new business ventures to the core.

Those who provide a service in the downtown area include: government, educational institutions, local churches, service organizations including the Social Planning & Research Council, hostels, food banks, etc.

There is a range of programs to consider for achieving these objectives. As successful programs are initiated in each of the other two sectors, (i.e. housing and visitors) those with an economic interest in downtown will benefit.

c) Those People Who Visit the Downtown

To the extent visitors can be attracted to the downtown area, additional dollars will flow to support downtown business operations. The marketing program should be targeted towards a range of visitor groupings, including those who live in the City of Hamilton and the immediate regional community, out of town visitors in Southern Ontario, the wider Provincial market and Canadian market, as well as international markets.

The intent of this exercise will be to build on the current strengths of the downtown area, develop such markets and broaden the catchment area for downtown facilities while at the same time trying to compete with distant markets to capture dollars which are currently flowing out of the community.

4. **GOALS OF THE DOWNTOWN COMMUNITY IMPROVEMENT PLAN**

The goals of the Downtown Hamilton Community Improvement Plan are:

- a) to enhance the Downtown as a unique community and the Heart of the City and Region. The Downtown shall be a place where people are attracted to live, work and visit;
- b) to encourage the preservation and enhancement of significant heritage resources;
- c) to encourage and assist private property owners to rehabilitate buildings in the Downtown to ensure their long-term economic viability;
- d) to focus municipal efforts that address the provision of streetscape improvements, municipal services and infrastructure; and,
- e) to promote the continued development of the Downtown as the primary business, office, cultural and administrative centre for the City and Region.

5. **OBJECTIVES OF THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN**

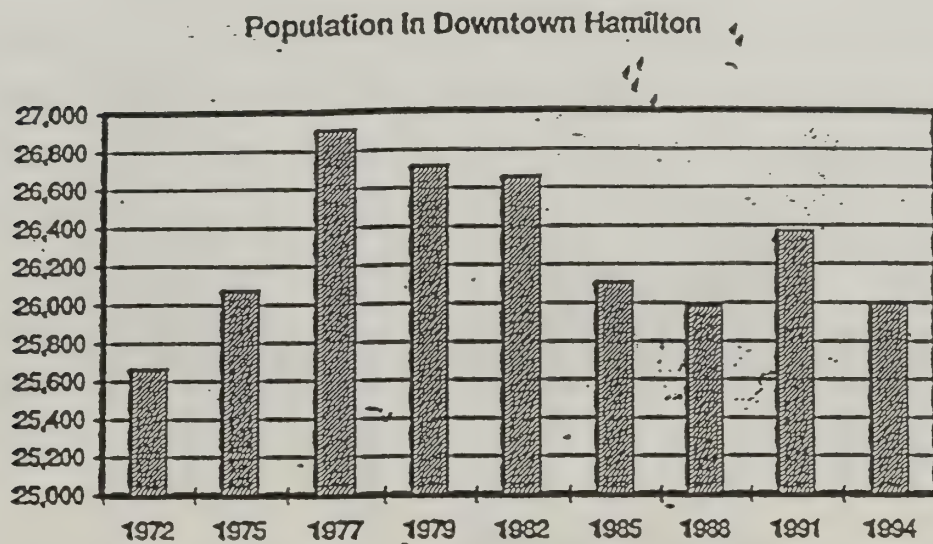
The objectives of the Downtown Hamilton Community Improvement Plan are:

- a) to promote the long-term stability and viability of the Downtown;
- b) to encourage the co-ordination of municipal expenditures and planning and development activity;
- c) to stimulate private property maintenance and reinvestment activity;
- d) to enhance the visual quality of the Downtown through the recognition and protection of heritage buildings;
- e) to upgrade physical services and social and recreation facilities; and,
- f) to provide for streetscaping, servicing and building rehabilitation and improvements to enhance the Downtown, and encourage complementary revitalization or redevelopment through private investment.

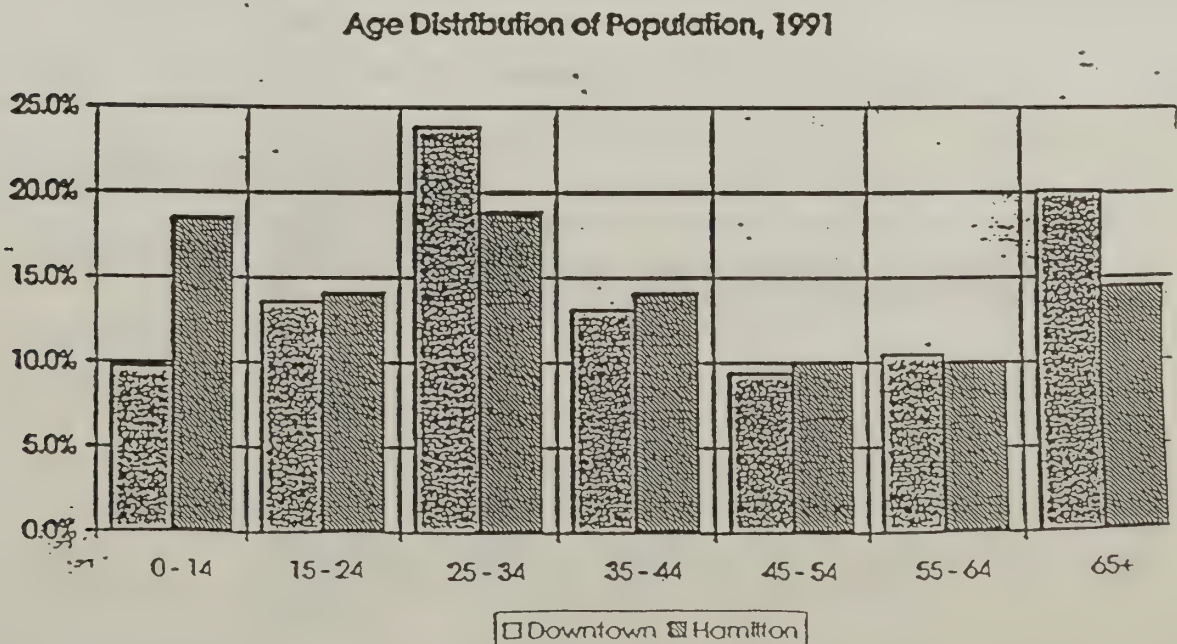
6. THE DOWNTOWN AREA - DEMOGRAPHIC ANALYSIS

The following is a summary of major demographic trends affecting the Downtown.

1. The population of Hamilton's Downtown experienced a decline in population from 1977 to 1985 and since that time has remained relatively stable in the 26,000 person range.

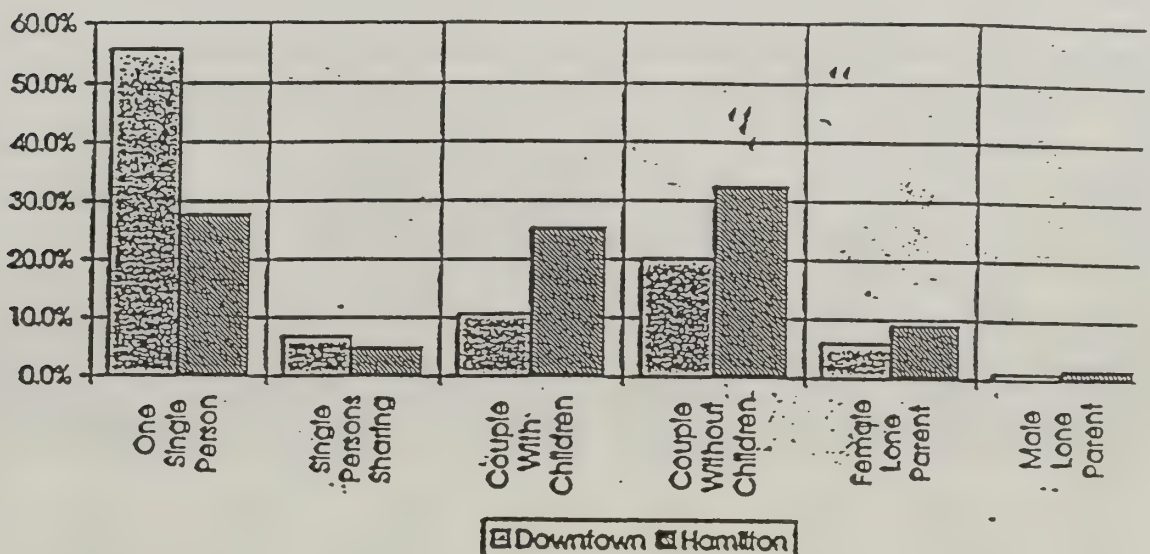


2. Downtown Hamilton recorded a higher proportion of people in the 25 to 34 years age cohort than the City of Hamilton as a whole. In addition, there was a lower proportion of children aged 0 to 14 years in Hamilton's Downtown compared to the City of Hamilton and a higher proportion of senior citizens aged 65 years and over.



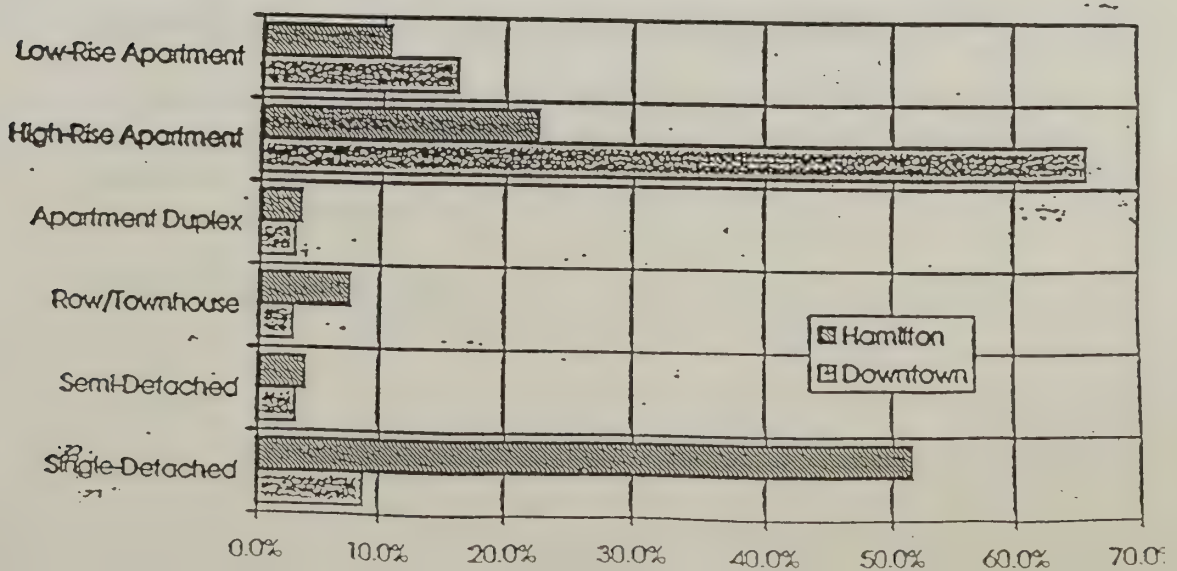
3. One single person households are the most prevalent household type in Hamilton's Downtown and accounted for over one-half of all households. There was a lower proportion of couples with children and couples without children in the Downtown compared to the City of Hamilton.

Distribution of Households by Type, 1991



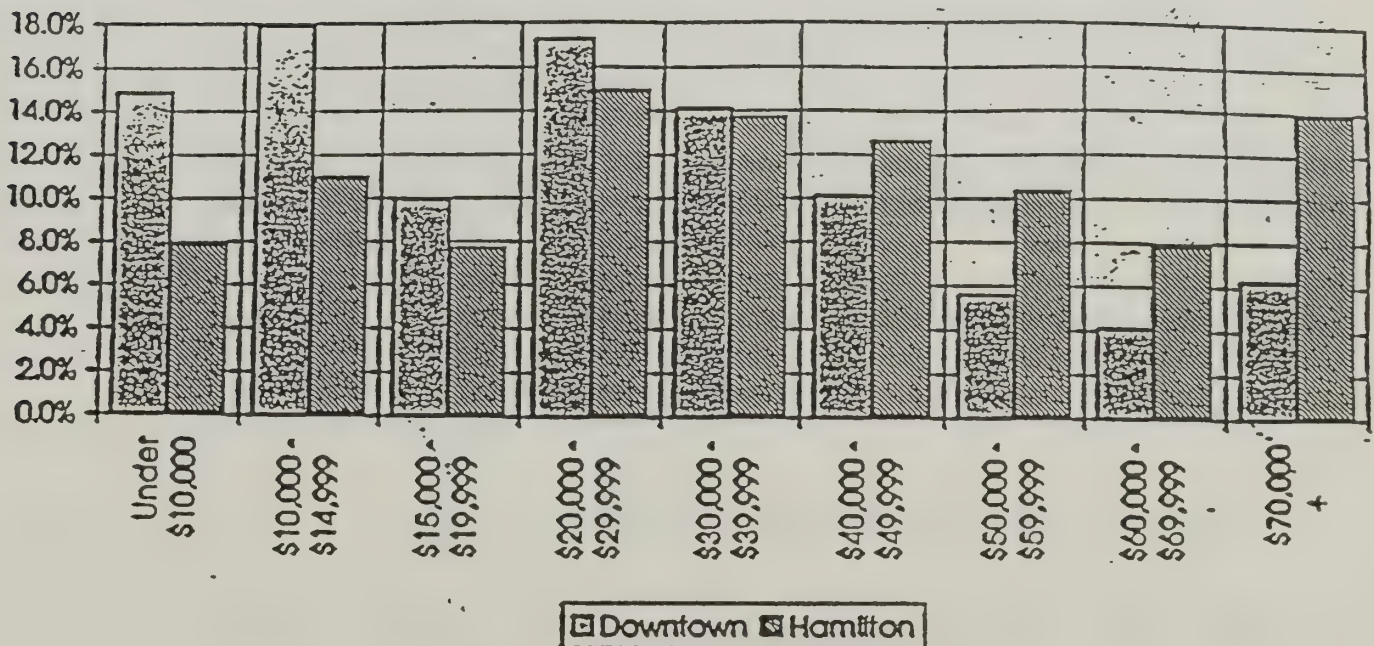
4. There was a much higher proportion of high-rise apartment units in Hamilton's Downtown compared to the City of Hamilton, 65.8 percent versus 22.6 percent. Single-detached dwellings accounted for under 10 percent of all dwellings in the Downtown while the proportion for the City of Hamilton was over 50 percent.

Distribution of Households by Dwelling Type, 1991



5. There was a higher proportion of lower income households in Hamilton's Downtown than the overall City of Hamilton and, conversely, a lower proportion of higher income households. The average household income (1990) for Downtown households was recorded at \$31,228. compared to \$41,232. for the City of Hamilton.

Distribution of Households by 1990 Income



7. PLANNING POLICIES AND CONTROLS

The following is a list of specific controls currently in affect in the downtown and major planning concerns.

A) Regional Official Plan - Towards a Sustainable Region

- Approved by the Ministry of Municipal Affairs on 1995 January 05
- Founded on the principles of Vision 2020 - sustainable development
- Downtown Hamilton designated as the Regional Centre, on Regional Development Pattern

Part B - Quality of Life

Provides policies which endeavour to enhance the way people live in this Region; issues relate to governance, environment, health, social services, shelter, culture, heritage, etc. Policies relevant to CIPA:

- 4.1.1 Implement an Economic Action Plan with emphasis on such things as improving workforce; improving competitiveness of small business; building partnerships in community; developing community infrastructure that is supportive of economic development.

Part C - Land Use Strategy

Contains more specific land use policies to help guide public/private decision making. Policies relevant to the CIPA include compact land use form; retail; services; transit:

- 3.1.1.3 Promote the Regional Centre in Downtown Hamilton as the most important mixed use activity centre, offering the widest range of goods and services of any single location in the Region.
- 3.1.1.4 Maintain the Regional Administrative Offices in the Regional Centre.
- 3.1.1.5 Promote and support efforts directed at making the Regional Centre the focus for major cultural facilities (e.g. art galleries, libraries and performing arts).
- 3.1.6.1 Direct retail/commercial/office uses to locate in Mixed Use Activity Centres and Corridors, shopping centres, existing and planned retail areas.
- 3.1.7.1 Encourage head offices and large branch offices of finance, insurance and real estate firms serving Region-wide or specialized interests to locate in the Regional Centre.
- 3.1.7.2 Encourage Region-wide or specialized community, business and personal services to locate in the Regional Centre.
- 4.3.2.3 Plan and operate the urban transit system, so that:

- a) The Regional Centre is the primary focus of transit service, with an appropriate level of service and degree of accessibility.

B) City of Hamilton Official Plan - Central Area Plan - Extracts Relevant to the CIPA:

Purpose: The Central Area Plan is a secondary plan prepared to give policy direction for the area bounded by the Harbour, Queen Street, the Escarpment and Victoria Avenue. It includes Durand, Corktown, Central, Beasley, North End East and West Neighbourhoods and portions of Landsdale and Stinson west of Victoria Avenue.

Overview: The plan stresses the importance of a healthy, vibrant, well-designed, human-scale environment and economic well-being of the Central Area, with policies aimed at:

- building on the Central Area's existing attributes; and,
- creating an environment conducive to investment, redevelopment and growth.

Status: The Plan is an update of the original Central Area Plan, which dates back to 1981 and is approved by Committee.

There are outstanding appeals of the O.P.A., some of which have been lodged by the Hamilton Harbour Commissioners. Several pre-hearing mediation meetings have been held, with a fifth one to be held shortly, but no compromise solution is anticipated at this time.

Policies: The portions of the plan policies most relevant to the CIPA are:

General: the Centre of Hamilton is considered the "Regional Centre"; and to be recognized as a multi-use area; emphasis on urban design, compatibility of uses.

Downtown Core: includes most of CIPA, except far east and north-east portions.

- Permitted Uses - to maintain and enhance the downtown core, a mix of uses to be encouraged, namely commercial uses (office buildings and stores); residential development; and institutional uses, esp governments.
- Promote as primary commercial centre of Region; location for offices, retail.

- Reinforce existing commercial on James Street, Hess Village, east of James Street.

Mixed Use: includes far east and north-east portions of the CIPA Area.

- Permitted Uses - light industrial, commercial, residential, institutional, recreational and related ancillary uses.
- Existing uses to remain; a mix of new uses to be encouraged; new developments not to adversely affect existing ones; applications to be considered on own merits, in light of long-term goals for growth and revitalization.

C) Neighbourhood Plans in CIPA

i) Central Neighbourhood Plan

Location - This neighbourhood comprises the area bounded by Queen Street, Main Street, James Street and the CNR Mainline north of Barton Street, and includes the portion of the CIPA between Bay Street and James Street.

Neighbourhood Plan Review - A review of the existing Central Neighbourhood Plan is nearing completion. A public meeting is to be held to enable additional public input, prior to the plan being taken forward for adoption.

The emphasis of the proposed plan, for the core area, is to strengthen and complete the areas designated "Downtown Core", as defined by the Central Area Plan. This includes all of the CIPA which is located in the Central Neighbourhood. Higher density housing (4 to 8 storey apartment buildings) are proposed adjacent to the downtown core.

Existing Plan - The original Central Neighbourhood Plan was adopted by City Council in 1973, and has been amended since that time. It designates lands within the Focus Area "Commercial", except for Copps Coliseum and Civic Square, which are designed "Civic and Institutional".

ii) Beasley Neighbourhood Plan

Location - This neighbourhood comprises lands bounded by James Street, Main Street, Wellington Street and the CNR Mainline. It includes the part of the CIPA east of James Street up to Wellington Street.

Neighbourhood Plan Review - A new Beasley Neighbourhood Plan has recently been approved by City Council. The plan was prepared by staff, in conjunction with an advisory committee.

The main thrust of the plan is to make the neighbourhood an "attractive" and "desirable" place to live, namely attractive to residents by improving their quality of life, and attractive to businesses by improving their viability. Proposed actions include increasing the amount of green space; promoting mixed residential/commercial along all major streets; scaling back the one-way street system; undertaking a market value re-assessment; upgrading police presence and attention to urban design; focusing the size of the commercial downtown core into a smaller geographic area; and discouraging the creation of new parking lots.

iii) **Corktown Neighbourhood Plan**

Location - This neighbourhood comprises the area bounded by James Street, Main Street, Wellington Street and the Escarpment, and includes the portion of the CIPA south of Main and east of James.

Neighbourhood Plan Review - A review of the existing Corktown Neighbourhood Plan began in April, 1996 and is nearing completion. The draft plan, prepared with a citizen advisory committee, has been circulated to agencies. A public meeting is scheduled for December 05, 1996 to obtain input from the general public, prior to the plan being finalized and taken forward to the Planning and Development Committee for adoption in early 1997.

The purpose of the proposed plan is to create, over the next 15 years and beyond, a Corktown that is attractive, affordable and accessible, is clean, green and cohesive; is stable, livable and economically viable; has a strong identity and enhances the image of Hamilton; and has stakeholders actively involved in making decisions about the future of Corktown. Higher buildings of up to 12 storeys are proposed in the core, with lower heights to the south.

Existing Plan - The original Corktown Neighbourhood Plan was adopted by Council in November 1973, and called for a number of rezonings. It has been amended extensively since that time. It designates lands within the CIPA mainly "Commercial", and "Commercial and Apartments" and some "Civic and Institutional".

iv) **Durand Neighbourhood Plan**

Location - This neighbourhood comprises lands bounded by Queen Street, Main Street, James Street and the Escarpment. It includes the portion of the CIPA south of Main and west of James.

Neighbourhood Plan Review - The Durand Neighbourhood Plan Update was prepared beginning in 1984, with the assistance of a citizen advisory committee. The plan preparation process involved the identification of issues and development of policies and actions to address these. The final version of the plan was adopted by Council in 1987.

The major goals of the Durand Plan include preservation of the residential character, which includes a mix of densities; directing commercial uses to the periphery; increasing recreational and parkland areas; heritage preservation; and restricting through traffic. The area within the CIPA are designated mostly for "Commercial", "Civic and Institutional", and, "High Density Apartments".

Former Plan - The original Durand Neighbourhood Plan was adopted by Council in 1973. It provided for extensive areas of high density residential, and designated lands within the CIPA for much the same uses as the 1987 plan update.

D) Designated Buildings:

Designation of buildings under the Ontario Heritage Act is done for the purposes of identifying and conserving buildings that are considered to be historically and/or architecturally significant. This enables retaining the original architectural character of features, especially facades, and in some cases interior features. Heritage funding grants are available for this purpose, and threatened demolition can be delayed while alternative approaches are pursued.

There are presently 6 designated buildings within the CIPA. These include:

- | | |
|------------------------|------------------------------------|
| - Pigott Building | - Landed Banking Loan Co. Building |
| - Sun Life Building | - Victoria Hall |
| - Right House Building | - Hamilton Courthouse |

The designation of buildings within the CIPA is continuously being reviewed, and LACAC staff have indicated there may be several more buildings to be added to the inventory of listed buildings in the future.

E) Zoning By-Law

The Zoning By-Law governs permitted uses and development standards in the City. Several zoning districts exist in the CIPA, indicated by letter codes. This is a brief overview.

"CR-3" (Commercial - Residential) District

- Found in several areas in central and east part of CIPA
- Permitted Uses: Residential - multiple dwellings; apt. hotel, care facilities; etc.
Commercial - office; retail; etc.; combined with residential, separate access
Institutional & Public - nursing home; day nursery; library; art gallery
- Density permitted: Max. Floor Area - 8 times lot area; Max. Height - 24 storeys

"H" (Community Shopping and Commercial, etc.) District

- Found at eastern end of CIPA
- Permitted Uses: Residential - lodging house; single family with commercial; care facilities
Commercial - wide range of retail; office; other; some light industrial
Institutional - nursing home; home for aged; day nursery; jail; clubs; etc.
- Density permitted: Max. Floor Area - 8 times lot area; Max. Height - 4 to 18 storeys

"HI" (Civic Centre Protected Districts)

- Located in vicinity of Main Street and MacNab Street; Main Street and Bay Street
- Permitted Uses: hotel; nursing home; day nursery; public uses;
Commercial - professional offices; various retail and service
- Density permitted: Max. Floor Area - 8 time slot area; Max. Height - 4 to 18 storeys

"I" (Central Business District, etc.) District

- Most prevalent zoning district in CIPA; found throughout, especially west and central
- Permitted Uses: Almost any residential, institutional or public use; care facility; lodging
Commercial - almost any commercial; storage yards; industrial uses with minimal noise
- Density permitted: Max. Height - 37m (about 10 storeys) to 100m (about 30 storeys)

"J" (Light and Limited Heavy Industry, etc.) District

- One area in block at King William Street and Ferguson Avenue
- Permitted Uses: Institutional Uses including day nursery; detention centre
Public & Commercial - Almost any use
Light & Limited Industrial - uses such as food; mfg.;
metals
- Density permitted: Max. Height - 10 storeys

Several site-specific Zoning By-Laws also exist, to define permitted uses and design for specific sites. For example, "H/S-472".

F) Site Plan Control

The entire Central Area is subject to Site Plan Control. The City reviews site design features, and co-ordinates siting of buildings; grading; landscaping; parking; access; other design aspects.

G) Planning Issues

i) Buildings and Open Spaces

There is diversity in the configuration of buildings and open spaces. There are several large buildings at the western end of the CIPA, including Jackson Square, an enclosed mall, the Hamilton Eaton Centre, Copps Trade Centre and Arena, and several other public buildings within the Civic Centre. There are also several other landmark buildings, many of which have historical significance. Along King Street East, facing Gore Park and extending to the east, most buildings are about three stories in height, apartments over stores, with some new infill.

ii) Design

Development in the downtown, although controlled by various regulations, does not always result in buildings and areas which are attractive to pedestrians. Some sections of the streetscape, such as adjacent to high-rise commercial buildings, are not as inviting to pedestrians as they could be, and in some cases there are obstacles to walking.

iii) Limited Greenspace

Gore Park is a small green space at the very core of the downtown. The green oasis which it provides is surrounded by roadways carrying the highest traffic volumes in the core. The main downtown location for bus stops is also at Gore Park, so the green park environment is often surrounded by a wall

of buses. The original fountain is being reconstructed in the Park, and bus shelters are also being considered, so the actual amount of green space is being reduced.

iv) **Downtown Development Corporation**

The Founding Board of the Greater Hamilton Downtown Community Development Corporation (GHDCDC) is a non-profit organization created to establish Downtown Hamilton as the economic, cultural, social and institutional centre of the Region. It was established in mid 1995, with a wide membership including politicians, business people, municipal staff, residents and other key stakeholders, and is intended to be a high profile committee of decision-makers with a mandate for action. Currently they are developing a strategic action plan that will identify downtown initiatives through public/private partnerships.

v) **Status of Downtown Initiatives**

There are many actions, studies and other initiatives underway or being considered in the downtown area. These include areas such as lighting improvements, beautification, parking meters, festivals, student housing; sign requirements; major renovation; etc. There are several committees in addition to the GHDCDC Founding Board, such as the staff Downtown Initiatives Committee.

vi) **Gore Heritage Design Study**

This study was initiated to investigate how to best conserve and enhance the special character of the Gore area of Hamilton. The Gore Park area along King Street in the downtown has much historical significance, but is now threatened by vacant buildings, and high-rise zoning. The study identifies the potential for returning existing buildings to their original condition as well as investigating design guidelines and incentives.

vii) **Social Impact - Public Amenities, Safety, Accessibility**

Crime rates in the downtown and surrounding neighbourhoods are quite high, compared to many suburban areas. These rates must be considered in the context of the higher population densities in the core, and the higher risk of crime associated with more commercial areas.

8. **PREVIOUS COMMUNITY IMPROVEMENT PROJECTS**

Various portions of the Downtown have been, and in some cases, are still, sites of community improvement projects. The Core Redevelopment Area and corresponding Downtown Core Redevelopment Plan were established by by-law in 1983 for the purpose of implementing various phases of the Downtown Action Plan. The works undertaken included sidewalk improvements and widenings, park redevelopment, street lighting, plantings, street furniture and road resurfacing. Monies to implement the Downtown Action Plan were derived from the Ministry of Municipal Affairs under the Commercial Area Improvement Program and the City of Hamilton. The by-laws establishing the Core Redevelopment Area and corresponding Plan and addendums were repealed in 1991.

In 1986 the City of Hamilton established the Commercial Facade Program. The program is still on-going and provides loans (to a maximum of \$15,000. per unit) at half the City's prime rate, amortized over a ten year period, for the rehabilitation of commercial property facades. This program has since expanded to include a maximum of \$10,000. per unit for interior renovations and is now known as the Commercial Property Improvement Program. The properties must be within an established Business Improvement Area (B.I.A.). There are seven B.I.A. 's presently established in the City of Hamilton namely: Barton General, Concession, Downtown Hamilton, International Village, Main West, Ottawa North and, Westdale Village. Community Improvement Project Areas and corresponding Community Improvement Plans were created in accordance with the Planning Act, Section 28 for the purpose of implementing the Program.

9. **COMMUNITY IMPROVEMENT INITIATIVES:**

The following list summarizes the strategies and initiatives that may be pursued through this Community Improvement Plan, and through any other City action intended to foster downtown revitalization. This list is not intended to be exclusive or exhaustive. It is intended to provide a framework for Downtown revitalization and renewal. The initiatives have been identified at a number of levels including: the document entitled "Strong Medicine.... A Prescription for the Heart of Hamilton Wentworth; the City/Region staff's Downtown Initiatives Committee; the Mayor's Task Force for Downtown Renewal; and, the Hamilton Society of Architect's Downtown Charette.

Each initiative is to be developed and evaluated on its own merit and taken through the appropriate approval process including Standing Committee and Council if needed, and if applicable, the appropriate funding process.

As these projects and others are approved they will be attached as further appendices to this document without requiring amendment to the Plan.

a) The Convert/Renovate-to-Rent Program

The City of Hamilton will provide financial assistance to property owners within the CIPA to either create apartments in vacant spaces above stores or to bring unused or deteriorated apartments in commercial buildings into compliance with the Property Standards By-law and Fire Code (as per Appendix 'A').

b) Fee Rebates for New Development and Redevelopment Projects, Waiving of Parking Requirements and 5% Parkland dedication

As an incentive for development and redevelopment activities in the downtown, the City of Hamilton will offer fee rebates for planning and building new development and redevelopment projects as well as waive the 5% parkland dedication and parking requirements for residential development/redevelopment (as per Appendix 'B').

c) Attract key "niche" retailers

Boost the distinctive retail and day-trip profile of Downtown by targeted recruiting of one or more major retailers without a significant presence in Ontario.

d) Prepare Plans for Renovation of Key Vacant Buildings

Work with landlords to create redevelopment proposals for existing properties, aimed at providing facilities for design studios, computer software firms, artists studios and "loft" apartments.

e) Improve Fibre-optic Opportunities in the Downtown

Create a public-sector fibre-optic cable wide-area communications network focused on the Downtown in 1997, to demonstrate that Hamilton makes a good location for communications-based businesses, such as call centres and commercial "back office" functions.

f) Canadian Society of Association Executive Convention in Hamilton

Promote Downtown Hamilton as an excellent location for national and regional association headquarters, by specifically targeting the national trade association of those organizations.

g) Develop a Commercial Parking Lot Licensing By-law

Making parking lots part of the solution to the problems of Downtown, not one of its major symptoms. Combine licensing and redevelopment incentives for commercial parking lots to promote their early redevelopment and to discourage further demolitions leading to more vacant parking lots.

h) Concept for Dealing with Tax and Assessment Issues

Investigate whether the City and Region can facilitate a process through which the Ontario Municipal Board would agree to mediate settlements between the Assessment Commissioner and the appellants.

i) Property Tax Exemptions for municipal and quasi-municipal uses

Expand the range of tax-exemptions for public and cultural institutions, to promote their continued ability to operate economically Downtown.

j) City Housing and Development Targetting on Key Downtown Properties

Identify four or five properties with a high redevelopment priority for the Downtown, and prepare investment portfolios for presentation to identified potential investors. The investment portfolios would highlight commercially attractive features, such as a commitment to include Regional Municipality office space, to relax parking requirements, etc.

k) Implementation of "strategic initiatives" identified in the Downtown Charette

Improve the physical/pedestrian links between key areas of Downtown; such as: between Hess Village and the Convention Centre; between James Street North and the Eaton Centre area; and, between Theatre Aquarius/Broadway and King Street East.

l) Implementation of "Transportation" Initiatives with the Aim of Creating a More "People Friendly" Environment.

Take the proposals set out in various documents e.g. the Regional Transportation Review and Downtown Charette, and explore with the Region, the alternatives to the existing downtown circulation system to promote changes and objectives of the downtown renewal strategies.

m) New Parking Requirements

Authorize universal "no charge" 3 hour parking in all or most municipal lots, to be effective for the 1996 Holiday season. Investigate other parking incentives.

n) Relocation of Regional Offices in the Downtown

As a lever to redevelopment, Regional Municipality office space should be relocated to strategic downtown locations wherever feasible, on an aggressive timetable. If appropriate, the decision to relocate the Region's headquarters to the Court House should be reconsidered, especially if a major new corporate or institutional entity could be recruited to Downtown by leasing that property.

o) Mass-Market the Art Gallery

Encourage the Art Gallery to initiate a major reservation-ticket exhibition with commercial marketing potential.

p) Neo-traditional Development in Neighbourhoods Surrounding the Downtown

Explore with the Hamilton Halton Homebuilders, the possibility of expanding their recent initiative into the creation of a full-scale neo-traditional neighbourhood on underutilized lands adjacent to the Downtown.

q) Create a Hamilton Secondary Plan

Create a separate Downtown Neighbourhood within the City and Regional Official Plans.

r) Create a Downtown Hamilton Partnership

Establish a Downtown Hamilton Partnership, a small group of leaders of business, government and the community at large, who would set broad, strategic direction for Downtown initiatives, but whose work would be done through existing organizations and special task groups created to achieve specific results.

s) Engage a Downtown Co-ordinator

Examine the possibility of hiring a Downtown Co-ordinator with responsibility to follow-up on the actions outlined in the Downtown Partnership Strategy. The Co-ordinator would be a full-time advocate for the Downtown, operating at arm 's length from municipal authorities, but with the support of municipal resources.

t) Include Funding for Initiatives in Current and Capital Budgets

Create a separate Downtown current and capital budget within the overall budgets of the Regional Municipality and the City of Hamilton, in order to allow priorities to be established and work to be more effectively co-ordinated.

u) Financial Assistance To Property Owners

Investigate and if feasible implement, financial assistance programs to property owners such as Heritage grants/loans for rehabilitation of historically significant buildings within the CIPA.

v) Increase in Assessment Rebate Program

Investigate the potential of implementing a rebate program for property owners who improve their properties thereby increasing the property's assessment. If the potential for the program is feasible implement the Program.

w) Bus Shelters in Gore Park

Monitor the bus shelter issue in Gore Park.

x) Garbage Containers in Alleyways

Modify the design of the garbage containers in the back alleyways and produce a prototype of the design to determine whether the difficulties encountered through garbage collection is addressed. Continue to work with the B.I.A.'s to address the concerns.

y) Improve Media Relations

Establish a rapport with the local media. Feed the media with news on the downtown and celebrate successes.

z) Perimeter Road

The implementation of the Perimeter Road will alleviate the through traffic and truck traffic from the downtown.

aa) Examination of Non-Resident Library Fees

Study the possibility of eliminating the non-resident library fees to encourage residents from the Region to visit the Central Library in the Downtown.

bb) Pedestrian Improvement

Investigate improvements that will make the Downtown more pedestrian friendly. Possibilities could include: sidewalk widening, canopies, re-cyclable bins, additional benches, increased lighting, additional flowers and trees, and, installation of sign trees.

cc) Murals for the B.I.A.'s.

Create wall murals within the Downtown area and investigate other public art opportunities.

dd) Mustard Festival

Implement festivals in the Downtown such as an Annual Mustard Festival.

ee) Sustainable Development Day

Bring the Sustainable Development activities to the Downtown core. Include downtown tours in the programming.

ff) Ferguson Avenue Redevelopment

Implement the downtown portion of the Ferguson Avenue Redevelopment Plan that creates a continual pedestrian/bicycle link between the Escarpment, the Downtown and the Bay. The Downtown portion creates a cultural area within the International Village B.I.A. providing the opportunities to hold many events within this area.

gg) Hughson Street

Review the potential for implementing the Hughson Street Study that proposes the creation of a pedestrian only area on Hughson Street between Hunter and King William Streets.

hh) Gore Park Heritage Study

Implement the Gore Park Heritage Study, a Study that identifies the potential for rehabilitating the historical significance of the buildings surrounding Gore Park.

ii) Downtown Demographic Analysis

Complete a demographic analysis of the downtown based on the 1996 Stats Canada information when available, as well as carrying out surveys, to better understand the surrounding community and to use as possible marketing tools for prospective businesses/developers.

jj) Research Downtown Initiatives in Other Communities

Continue to contact other communities to determine what has aided in revitalizing their Downtowns as well as what hasn't.

kk) Traffic Calming Initiatives

As part of a transportation review investigate traffic calming initiatives.

ll) Improve Safety and Security Initiatives

Investigate the possibility of hiring Ambassadors for the Downtown by contacting other communities that have implemented this initiative, and if appropriate and implement a similar program. The duties of Ambassadors range from cleaning the street to directing people and calling in to the Police Department when the need arises.

mm) Hamilton/Halton Homebuilders Agreement

Partner with the Hamilton-Halton Homebuilders Association for the purpose of co-ordinating the development of one or two blocks within the Downtown core. The development will act as a catalyst for other development initiatives.

10. CONCLUSION

The approval of a Downtown Community Improvement Plan will provide a legislative basis and context for some of the initiatives identified to foster Downtown revitalization. The Plan is intended to bring these efforts together within one document in order to ensure that the Downtown is dealt with in a comprehensive and co-ordinated manner, and that the initiatives identified can be directed towards community improvement.

As previously stated, each initiative is to be developed and evaluated on its own merit and taken through the appropriate approval process (Standing Committee and Council if needed), and if applicable, the appropriate funding process.

As these projects and others are approved they will be attached as further appendices to this document without requiring amendment to the Plan.

APPENDIX "A"

Summary of Terms of Hamilton Downtown Convert/Renovate-to-Rent Loan Program

- (a) Lender: The Corporation of the City of Hamilton
- (b) Duration of Loan Program: Until terminated by City Council
- (c) Initial Loan Capital: \$180,000 - City funds
Additional Loan Capital: \$180,000 - Region funds
- (d) Loan Interest rate: Zero interest
Interest on arrears: 12.9996% per annum or such tax arrears interest rate established by Council.
- (e) Maximum Loan Term: Ten years (subject to prior termination on default)
Principal repayable in monthly amounts over 120 months
- (f) Maximum Loan: The lesser of cost or \$12,000 per apartment unit with a maximum of \$48,000 loan per property;
- (g) Purpose of Loan: Costs of converting upper floors of commercial buildings into apartments or renovations to bring existing apartments into compliance with the Property Standards By-law and Fire Code. The existing apartments must be in commercial buildings;
- (h) Security: Promissory Note and Lien on property being improved and/or a collateral mortgage on other property subject to City's minimum equity requirement;
- (i) Minimum Equity Requirement: Owner shall have not less than 25% equity in the appraised value of the property offered as security, including value of alterations being financed;
- (j) Realty Taxes: In good standing at all times
- (k) Eligible Costs: All costs associated with the conversion or renovations to be borne by the applicant including construction, design, appraisal, legal, registration fees. City retains right to assess reasonableness of costs and which costs are eligible for program;
- (l) Sale or Refinancing of Property: Loan due in full;
- (m) Revolving Loan Account: Loan repayments to be credited to loan program account for re-lending;
- (n) Except as provided above, subject to City's usual lending criteria.

Downtown Savings

SCHEDULE 'B'

Before Downtown Initiatives		After Downtown Initiatives	
Development Charges			
Commercial - City	\$ 0.00		\$ 0.00
Commercial - Region	\$2.64 / ft ²		\$ 0.00
Residential - City	single, semi or row - \$1,565.44 2 or more bedroom apt. - \$894.54 1 bedroom apt. - \$447.27		\$ 0.00 \$ 0.00 \$ 0.00
Residential - Region	single family - \$5,113.00 multiple family - \$3,798.00 apartment - \$2,191.00		\$ 0.00 \$ 0.00 \$ 0.00
Fees *			
Official Plan Amendment	\$1,730.00		\$ 0.00
Zoning By-Law Amendment	\$1,730.00		\$ 0.00
Minor Variance (1 or 2 family dwelling)	\$250.00		\$ 0.00
Minor Variance (all others)	\$400.00		\$ 0.00
Building Permits	\$150.00 for 1st construction value + \$9.00 each additional \$1,000.00		\$ 0.00
Site Plan Application	\$1,020.00		\$ 0.00
Revision of Approved Site Plan	\$410.00		\$ 0.00
5% Parkland Dedication	5% or cash equivalent		0% or \$ 0.00, if building permit is issued by Sept. 1 1999
Public Parking in the Downtown (designated lots only)	\$0.80/hr - \$1.60/hr		\$ 0.00 (Thursday & Friday evenings & all day Saturday)
Parking Requirements Residential	0.8 spaces per class A dwelling unit		0 spaces for renovations/conversions 0 spaces for new construction
Lot Area Requirements for Multiple Dwellings in "I" Districts	"I" District - 65m ² (699.68 square feet) lot area per dwelling unit		gross floor area not to exceed 2.85 times the area of the lot

* Fees are refundable at the time of issuance of a building permit if issued by Sept. 1/99 and the fees are paid for after Aug. 27/96.

SCHEDULE 'C'

PART A: RESTORE THE BUILDING FACADES

- Purpose:** To transform the public image of the Gore from an ailing inner core into a vibrant, renewed heart of the city through the restoration of its rich and genuinely historic architectural streetscape.
- Eligible Work:** Restoration of the historic facades includes repointing of masonry, repair or replication of the original cornice, windows, and decorative features such as window lintels, finials, cresting, etc., as well as the removal of unauthentic building facing, in accordance with the basic principles of heritage conservation and building improvement established in the Gore Heritage Design Study, approved by Council and "Guidelines for Heritage Conservation in the Gore".

PART B: IMPROVE THE QUALITY OF THE STOREFRONT DESIGN

- Purpose:** To attract pedestrians and businesses by making the Gore an animated, lively busy place again. Improve storefronts to make them attractive and appealing and restore original historic storefronts, where feasible.
- Eligible Work:** Improvement to Storefront Design includes restoring large display windows, repairs to baseboards, transom windows, original columns and entrances, secondary doors, in accordance with the basic principles identified in the Gore Heritage Design Study. Included as eligible costs are the design, production and installation of canopies, in accordance with the established guidelines and any by-law requirements which determine a minimum height, a standard width of projection and traditional location on the front facade.

PART C: IMPROVE THE QUALITY OF THE COMMERCIAL SIGNAGE

- Purpose:** To create downtown commercial signage that animates and enlivens the core and at the same time enhances the architectural quality of the buildings. Regain the special character of the Gore by making signs legible and appropriate to their host building and replacing excessively over-sized signage.
- Eligible Work:** Included in this category are the design, production and installation of commercial signage which is in accordance with the principles of good signage found in the Gore Heritage Design Study and the Signage Guidelines for the Gore. Design of the signage should fit with the character of the host building.

Summary of Terms of the Gore Heritage 2000 Program

A Component of the Restore The Core, Hamilton Downtown Improvement Plan

- | | | |
|-----|------------------------------|---|
| (a) | Grantor | The Corporation of the City of Hamilton |
| (b) | Initial Grant Capital | \$200,000 City funds |
| (c) | Type of Program | Matching Grant Program |
| (c) | Maximum Grant | \$20,000 per property |
| (d) | Eligible Applicants | Owners of a property located within the Gore Area, on King St. East between James St. and Catharine St. which is designated under the Ontario Heritage Act or listed on the Inventory of Buildings of Architectural and/or Historical Interest. |
| (e) | Purpose of Grant | To create a new image for the Gore through a heritage building facade improvement program. The Gore, by virtue of its economic and social importance to the health, image and sustainability of the City, is considered a top priority of downtown revitalization. |
| (f) | Realty Taxes | In good standing at all times. |
| (g) | Eligible Costs | The matching grants can be applied to heritage facade restoration as well as improvement to storefronts and signage, based on the principles established in the <u>Gore Heritage Design Study</u> . More specific information is attached as Schedule A. |
| (h) | Additional Eligible Programs | The Gore Heritage 2000 Program may be used in conjunction with other funding programs, such as the Hamilton Downtown Convert/Renovat-to-Rent Loan Program, the Commercial Property Improvement Program and the Commercial Heritage Trust Fund. |
| (h) | Conditions of Grant | The project must be fully described in the application form and the eligible items identified and approved before the work commences. The project must be completed as defined in the application form and to a high standard of craftsmanship. In the event of demolition or removal of the funded improvements within the first five years of awarding the grant, the owner of the property will be responsible for paying the full amount of the grant back to the City. |

The Corporation of the City of Hamilton

BY-LAW NO. 97- 141

To Amend Schedule 4 of Licensing By-law No. 93-069

Respecting:

TAXI-CAB BROKERS

WHEREAS it is expedient to require taxi-cab brokers to post the Ontario Human Rights Commission's one page publication entitled "Declaration of Management Policy" for taxi-cab owners and drivers;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 4 of Licensing By-law No. 93-069 as amended, is further amended by adding the following paragraph, as paragraph 11 of subsection 32(1):

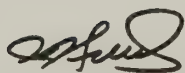
"11. Post and maintain a copy of the Ontario Human Rights Commission's publication entitled "Declaration of Management Policy", on bulletin boards and on other similar locations provided for the regular posting of written notices to taxi-cab drivers or owners operating from the brokerage."

2. In all other respects, Licensing By-law No. 93-069, as amended, is hereby confirmed without change.

PASSED this 24th

day of June

A.D. 1997.



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97- 142

To Amend:

By-law No. 91-105

Respecting:

IMPROVEMENTS TO THE FIRE DEPARTMENT RADIO SYSTEM

WHEREAS By-law No. 91-105 was enacted on May 14, 1991, to authorize the Radio Trunking Project and the issuance of Debentures in the amount of \$2,500,000;

AND WHEREAS the Ontario Municipal Board approved the Radio Trunking Project by order of the Board, dated March 28, 1991,

AND WHEREAS Council, on April 8, 1997, in adopting Section 7 of the 7th Report of the Finance and Administration Committee authorized the transfer of a portion of the debenture proceeds and cancellation of a portion of the debentures for this project.

AND WHEREAS the approval of the Ontario Municipal Board to this By-law is no longer required as a result of amendments to Section 168(4) of the Municipal Act;

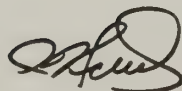
NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The City Treasurer is hereby authorized to reallocate \$2,000,000 of the original debenture amount to the 1995 Roads and Sidewalk Reconstruction Project, Local Roads, Phase 1.
2. The City Treasurer is hereby authorized to cancel the remaining \$500,000 debenture amount.

PASSED this 24th

day of June

, 1997.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-143

Respecting:

APPOINTMENT OF AN EXTERNAL AUDITOR

WHEREAS Section 86(1) of the Municipal Act, R.S.O. 1990, Chapter M.45, authorizes City Council to appoint one or more auditors who are licensed under the Public Accountancy Act for a term of five years or less;

AND WHEREAS the Council of The Corporation of the City of Hamilton on , in adopting Item of the Report of the Finance and Administration Committee appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor for the year ending December 31, 1997;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

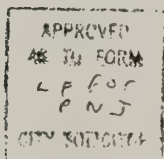
1. The firm of MacGillivray Partners is appointed as The Corporation of the City of Hamilton's external auditor until December 31, 1997.

2. The firm of MacGillivray Partners shall also complete the 1997 Financial Report for The Corporation of the City of Hamilton.

3. The duties of the auditor shall include auditing the accounts and transactions of The Corporation of the City of Hamilton, every local board of The Corporation of the City of Hamilton, as defined by the Municipal Affairs Act, the Hamilton Entertainment and Convention Facilities Incorporated, the Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, The Municipal Non-Profit (Hamilton) Housing Corporation, The Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc., and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton.

4. The fee payable to the auditor shall be \$113,000 for 1997. The fee shall be reduced if the hours actually spent are less than anticipated by the City and the auditor. All disbursements are included as part of the regular fee.

PASSED this 24th day of June , 1997.



City Clerk



Mayor

CERTIFIED A TRUE COPY

BY-LAW NO. 97 - 144

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE
CITY OF HAMILTON AT ITS MEETING HELD ON THE 24th DAY OF JUNE, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

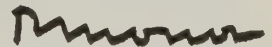
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 24th day of June 1997



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 145

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10** of said By-law is hereby amended by adding thereto the following items, namely:-

"Chesley	Northbound and Southbound	Chester
Embassy	Eastbound	Locheed
Kingsberry	Northbound	Carson
Carson	Eastbound and Westbound	Kingsberry
Palace	Northbound	Carson
Paris	Westbound	Carson
Central	Eastbound and Westbound	Tragina
Acadia	Northbound and Southbound	Elite
Rushdale	Eastbound and Westbound	Rupert
Amherst	Southbound	Butler."

2. That **Schedule 15 (Designated Traffic Lanes)** of said By-law be amended by adding thereto the following item, namely:-

"Limeridge	Upper Sherman and 164 feet westerly	South Curb	Anytime	Easterly to Southerly."
------------	---	------------	---------	----------------------------

1

3. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this 08th

day of July

1997.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 146

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 24 (Parking Meter Locations)** of said By-law is hereby amended by adding to **Section 2(a)** thereof the following item, namely:-

"London West Main to 75 feet south."

and by deleting from **Section 3(a)** thereof the following item, namely:-

"London West Main to 75 feet south."

2. That **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Balmoral	West	commencing 245 feet south of Barton and extending 140 feet southerly therefrom	Anytime
-----------	------	---	---------

Sirente	West	commencing 65 feet south of the south curb line of Sirente and extending 34 feet southerly therefrom	Anytime
---------	------	--	---------

Butler	North and East	commencing 117 feet east of the east curb line of Butler and extending to 55 feet north of the north curb line of Butler	Anytime."
--------	----------------------	--	-----------

3. That **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"John	East	commencing 25 feet north of Strachan and extending 33 feet northerly therefrom	Anytime
-------	------	---	---------

Catharine	East	commencing 166 feet north of Macauley and extending 27 feet northerly therefrom	Anytime
Clinton	South	commencing 27 feet east of Sherman and extending 20 feet easterly therefrom	Anytime."

4. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this 08th

day of July

1997.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97- 147

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-laws No. 92-197 and 93-117

Respecting:

LAND LOCATED AT MUNICIPAL NO. 195 FERGUSON AVENUE NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, as amended by By-laws No. 92-197 and 93-117, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding Section 11(1) of Zoning By-law No. 6593, the following use shall be permitted on the first and second floor of the existing building located at No. 195 Ferguson Avenue North:

(i) a drop-in centre;

(b) for the purposes of the By-law a **Drop-in Centre** shall mean any building or portion thereof used for the purposes of providing counselling, professional and personal care services, guidance, religious services, recreational activities, cafeteria, temporary refuge and other similar community based activities, by a person or persons on a temporary basis and is operated by a non-profit organization but is not considered as a residential care facility, short term care facility, hostel or community centre;

(c) notwithstanding Section 18A of Zoning By-law No. 6593, the drop-in centre shall not be subject to the parking and loading requirements.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in

accordance with the "E" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1279b.

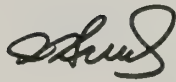
4. Sheet No. E-3 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1279b.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 08th

day of July

A.D. 1997



CITY CLERK

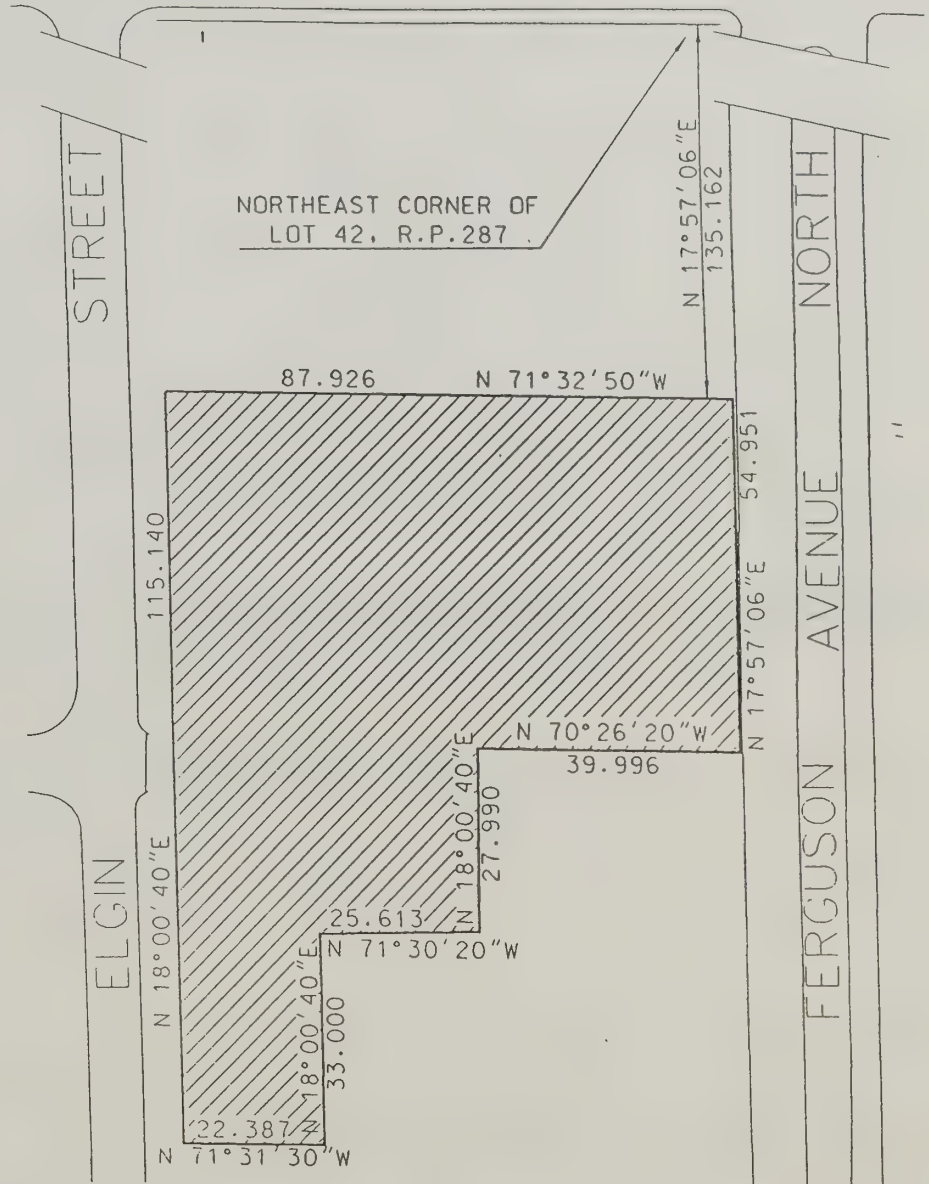



MAYOR

(1997) 10 R.P.D.C. 6, June 24
Wesley Urban Ministries, Owner
ZAC-97-09

prepared June 24/97

BARTON STREET EAST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-147...
Passed the 08th day of July, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-147...
to Amend By-Law No. 6593

Planning and Development Department

Legend



Further Modification to the "E" (multiple Dwellings, Lodges, Clubs, etc.) District.

North



Scale
Not to Scale

Date
June 1997

Reference File No.
ZAC-97-09

Drawn By
S.H.

The Corporation of the City of Hamilton

BY-LAW NO. 97-148

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED WEST OF UPPER KENILWORTH AVENUE AND
NORTH OF LIMERIDGE ROAD EAST**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-59A of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "DE-2" (Multiple Dwellings) District, modified, to "RT-30" (Street - Townhouse) District, the land comprised in Block "1";
- (b) by changing from "E-2" (Multiple Dwellings) District, modified, to "RT-30" (Street - Townhouse) District, the land comprised in Block "2";
- (c) by changing from "E-2" (Multiple Dwellings) District, modified, to "RT-30" (Street - Townhouse) District, the land comprised in Block "3";
- (d) by changing from "E-2" (Multiple Dwellings) District, modified, to "R-4" (Small Lot Single Family Dwelling) District, the land comprised in Block "4";
- (e) by changing from "E-2" (Multiple Dwellings) District, modified, to "R-4" (Small Lot Single Family Dwelling) District, the land comprised in Block "5";

the extent and boundaries of each of which Blocks 1, 2, 3, 4 and 5 are shown on a plan hereto annexed as Schedule "A".

2. The "RT-30" (Street - Townhouse) District provisions, as contained in Section 10F of Zoning By-law No. 6593, applicable to Blocks "1", "2" and "3", are amended to the extent only of the special requirement that;

- (a) in addition to the requirements of Section 10F.(4)(a) of Zoning By-law No. 6593, a minimum front yard having a depth of not less than 7.0 m shall be provided and maintained for a two storey Street Townhouse Dwelling.

3. The "RT-30" (Street - Townhouse) District provisions, as contained in Section 10F of Zoning By-law No. 6593, applicable to Block "3", are amended to the extent only of the special requirement that;

- (a) notwithstanding the requirements of Section 10F.(4)(c)(ii) of Zoning By-law No. 6593, a minimum westerly side yard having a width of not less than 1.2 m shall be provided and maintained.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-30" District provisions, subject to the special requirements referred to in sections 2 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1378.

6. Sheet No. E-59A of the District Maps is amended by marking the lands referred to in section 1.(a)(b) and (c) of this by-law, S-1378.

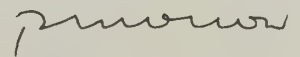
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 08th day of July

A.D. 1997

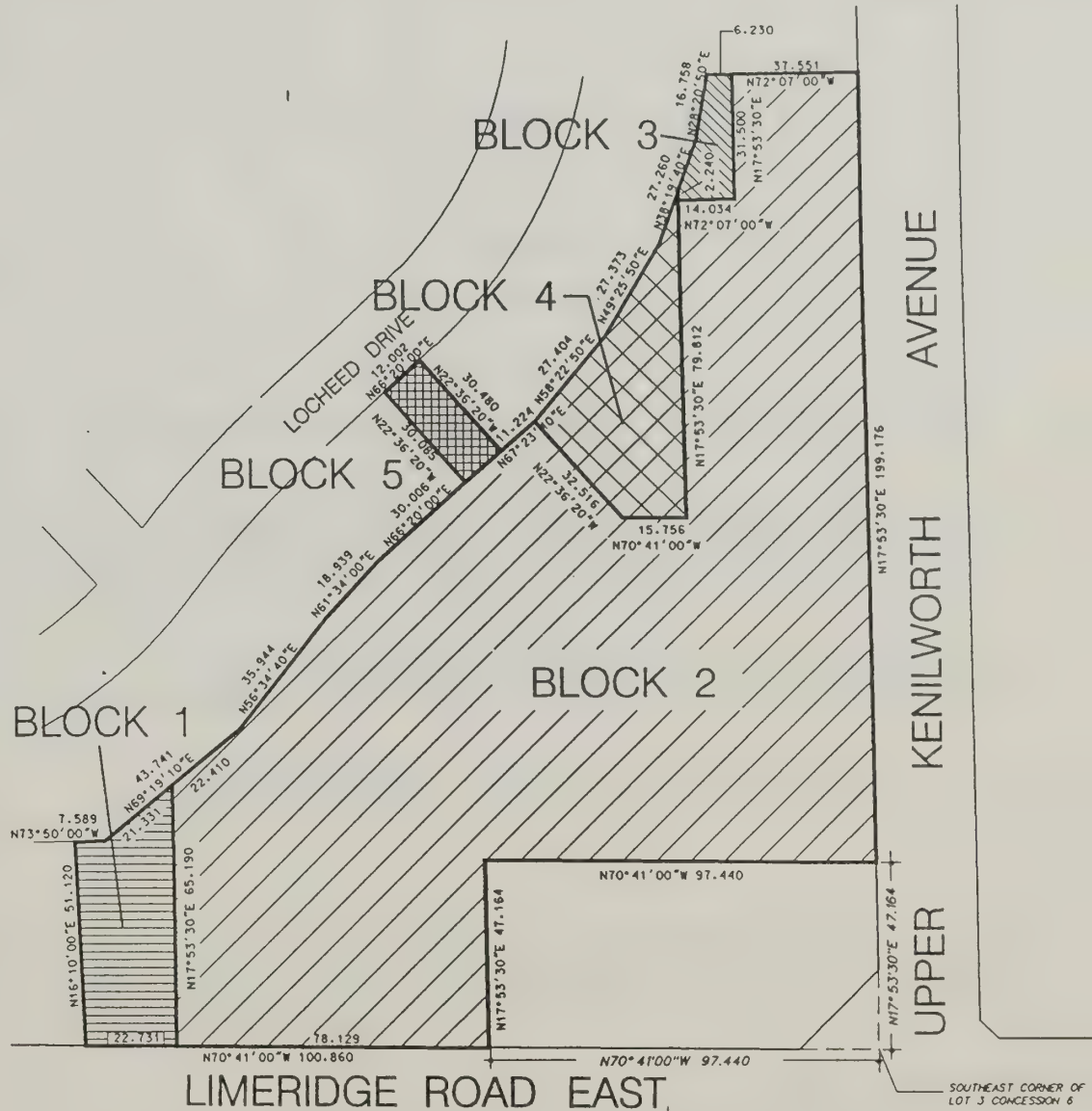


CITY CLERK



MAYOR

(1997) 10 R.P.D.C. 4.(f), June 24
822827 Ontario Inc., Owner
Amended ZAC-97-07



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-148
Passed the 08th day of July, 1997.

[Signature]

Clerk

[Signature]

Mayor

City of Hamilton

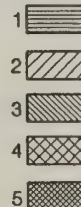
Schedule "A"

Map Forming Part of
By-Law No. 97-148

to Amend By-Law No. 6593

Planning and Development Department

Block



Legend Change in Zoning from:

- "DE-2" (Multiple Dwellings) District, modified, to "RT-30" (Street-Townhouse) District, modified
- "E-2" (Multiple Dwellings) District, modified, to "RT-30" (Street-Townhouse) District, modified
- "E-2" (Multiple Dwellings) District, modified, to "RT-30" (Street-Townhouse) District, modified
- "E-2" (Multiple Dwellings) District, modified, to "R-4" (Small Lot Single Family) District, modified
- "E-2" (Multiple Dwellings) District, modified, to "R-4" (Small Lot Single Family) District

North



Scale
NOT TO SCALE

Date
June 1997

Reference File No.

ZAC-97-07

Drawn By

W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 149

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 661 UPPER WELLINGTON STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding subsections 9(1) and (4) of Zoning By-law No. 6593, one semi-detached two family dwelling with a minimum lot width of 17 m and minimum lot area of 534 m² shall be permitted; and,
- (b) where a dwelling is constructed with an attached garage, then the finished level of the garage floor shall be a minimum of 0.3 metres above grade.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1383.

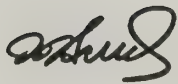
4. Sheet No. E-16 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1383.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

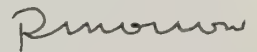
PASSED this 08th

day of July

A.D. 1997

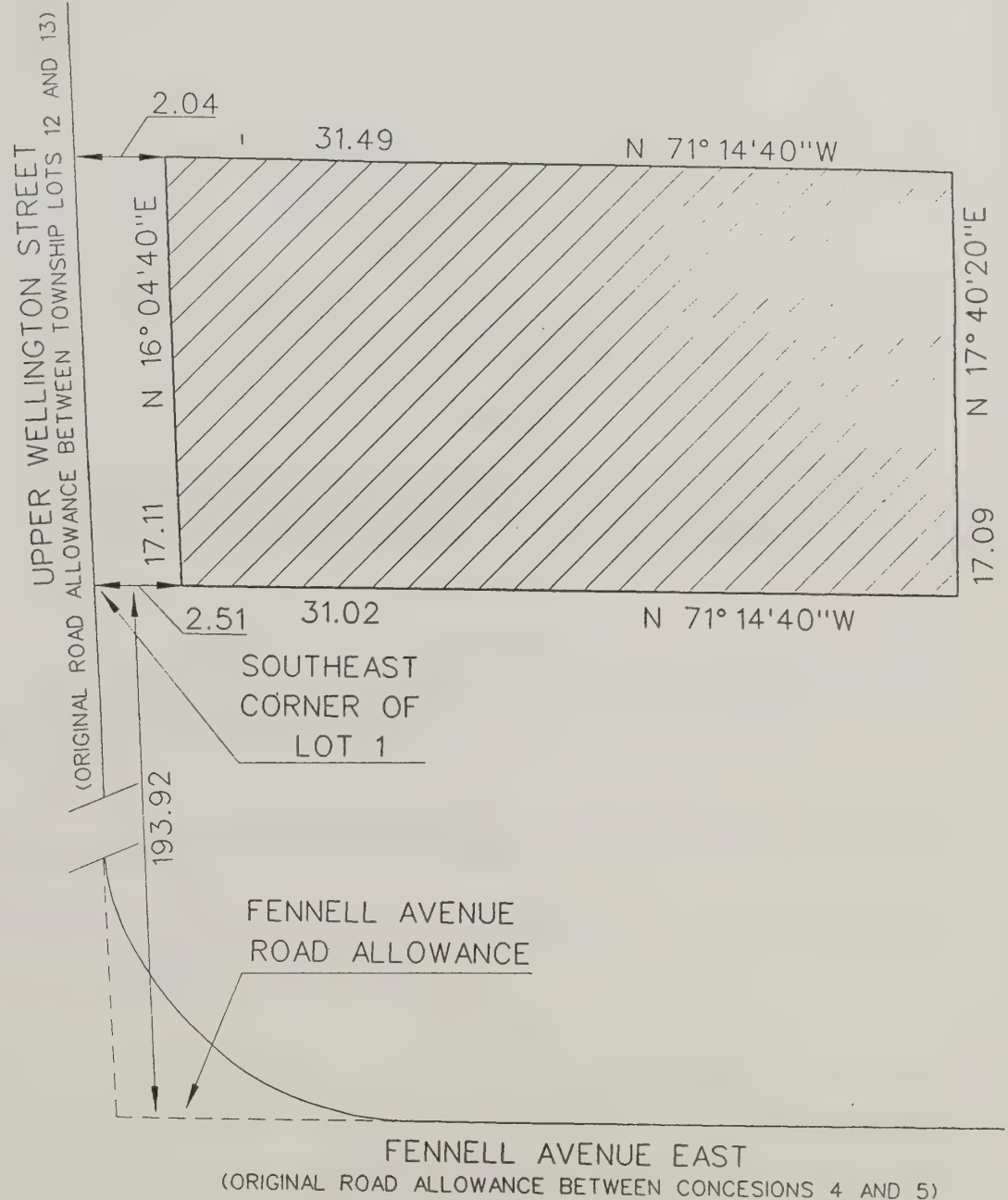


CITY CLERK



MAYOR

(1997) 10 R.P.D.C. 1, June 24
1104020 Ontario Inc. (D. and G. Ciarmella), Owner
ZAC-97-16



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-...149.
Passed the 08th day of July, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-...149.
to Amend By-Law No. 6593

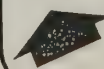
Planning and Development Department

Legend



Modification to the "C" (Urban Protected Residential, etc.) District Regulations.

North



Scale
Not to Scale

Date
June 1997

Reference File No.
ZAC-97-16

Drawn By
S.H.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 150

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE SOUTH-WEST CORNER OF KING WILLIAM STREET AND WENTWORTH STREET NORTH KNOWN MUNICIPALLY AS 488 KING WILLIAM STREET AND 15 WENTWORTH STREET NORTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-13 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands shown as Blocks "1" and "2" on Schedule "A", annexed hereto and forming part of this by-law, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 2.(2)(J.)(xiii) of Zoning By-law No. 6593, for the purposes of this by-law the "Front Lot Line" shall be Wentworth Street North;
- (b) notwithstanding Section 14.(3)(ii)(a) of Zoning By-law No. 6593, a minimum side yard of 3.0 m shall be provided and maintained along the northerly lot line;
- (c) notwithstanding Section 14.(3)(iii)(c) of Zoning By-law No. 6593, a rear yard of a depth of at least 1.5 m shall be provided and maintained;

- (d) notwithstanding Section 18.(3)(vi)(b)(ii) of Zoning By-law No. 6593, a canopy shall not project into the required rear yard;

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1374.

5. Sheet No. E-13 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1374.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

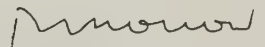
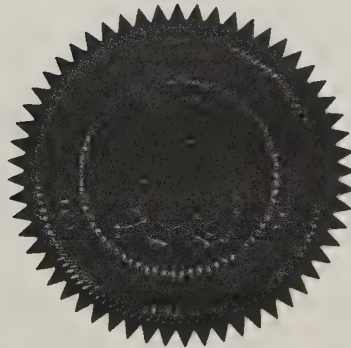
PASSED this 08th

day of July

A.D. 1997



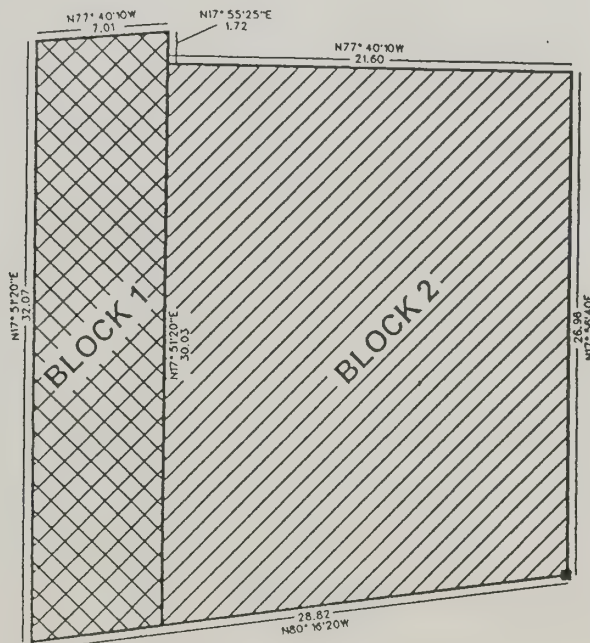
CITY CLERK



MAYOR

KING WILLIAM STREET

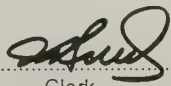
WENTWORTH STREET NORTH

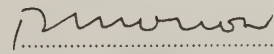


KING STREET EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-..150.
Passed the ..08th day ofJuly....., 1997.


Clerk


Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-..150.
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

Block 1



"D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, Modified

Block 2



Modification to the Established "H" (Community Shopping and Commercial etc.) District.

North



Scale
Not to Scale

Date
June 1997

Reference File No.
ZAC-96-15

Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 151

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO.

488 KING WILLIAM STREET AND 15 WENTWORTH STREET NORTH

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

164. Land located at Municipal No. 488 King William Street and 15 Wentworth Street North, shown on Appendix 164 hereto annexed and forming part of this by-law.

2. Appendix 164 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 08th day of July

A.D. 1997



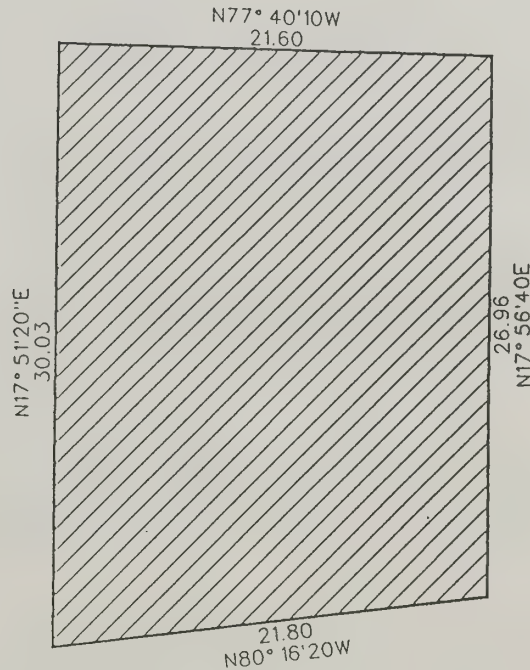
CITY CLERK



MAYOR

KING WILLIAM STREET

WENTWORTH STREET NORTH



KING STREET EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-151..
Passed the 08th day of July, 1997.

[Signature]

Clerk

[Signature]

Mayor

City of Hamilton

Appendix 164

to By-Law No. 79-275

as Amended by By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law as an area of Site Plan Control pursuant to section 41 of the Planning Act, R.S.O., 1990.

North



Scale
Not to Scale

Date
JUNE 1997

Reference File No.
ZAC-96-15

Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 152

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 93-042

Respecting:

**LANDS LOCATED EAST OF SPRINGSIDE DRIVE,
SOUTH OF JACQUELINE BOULEVARD
AND WEST OF THE PROPOSED EXTENSION OF UPPER WELLINGTON STREET**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 93-042 on the 23rd day of February 1993 to change the zoning and to establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "B-2" District, in respect of the lands located on the south side of Rymal Road East and west of the proposed extension of Upper Wellington Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 5 of the 10th Report of the Planning and Development Committee at its meeting held on the 24th day of June 1997, recommended that Zoning By-law No. 6593, as amended by By-law No. 93-042 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. Section 2.(a) of Zoning By-law No. 93-042 is deleted in its entirety and replaced with the following:

"notwithstanding the provisions of Section 8B(4) of By-law No. 6593, every lot or tract of land shall have a width of at least 15.0 metres and an area of at least 480 square metres."

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B-2" District provisions, subject to the special requirement referred to in section 2 of this by-law.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1303a.

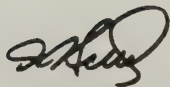
5. Sheet No. E-9E of the District Maps is amended by marking the lands referred to in section 1.(a) of By-law No. 93-042, S-1303a.

6. In all other respects, By-law No. 93-042 is hereby confirmed, unchanged.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 08th day of July

A.D. 1997

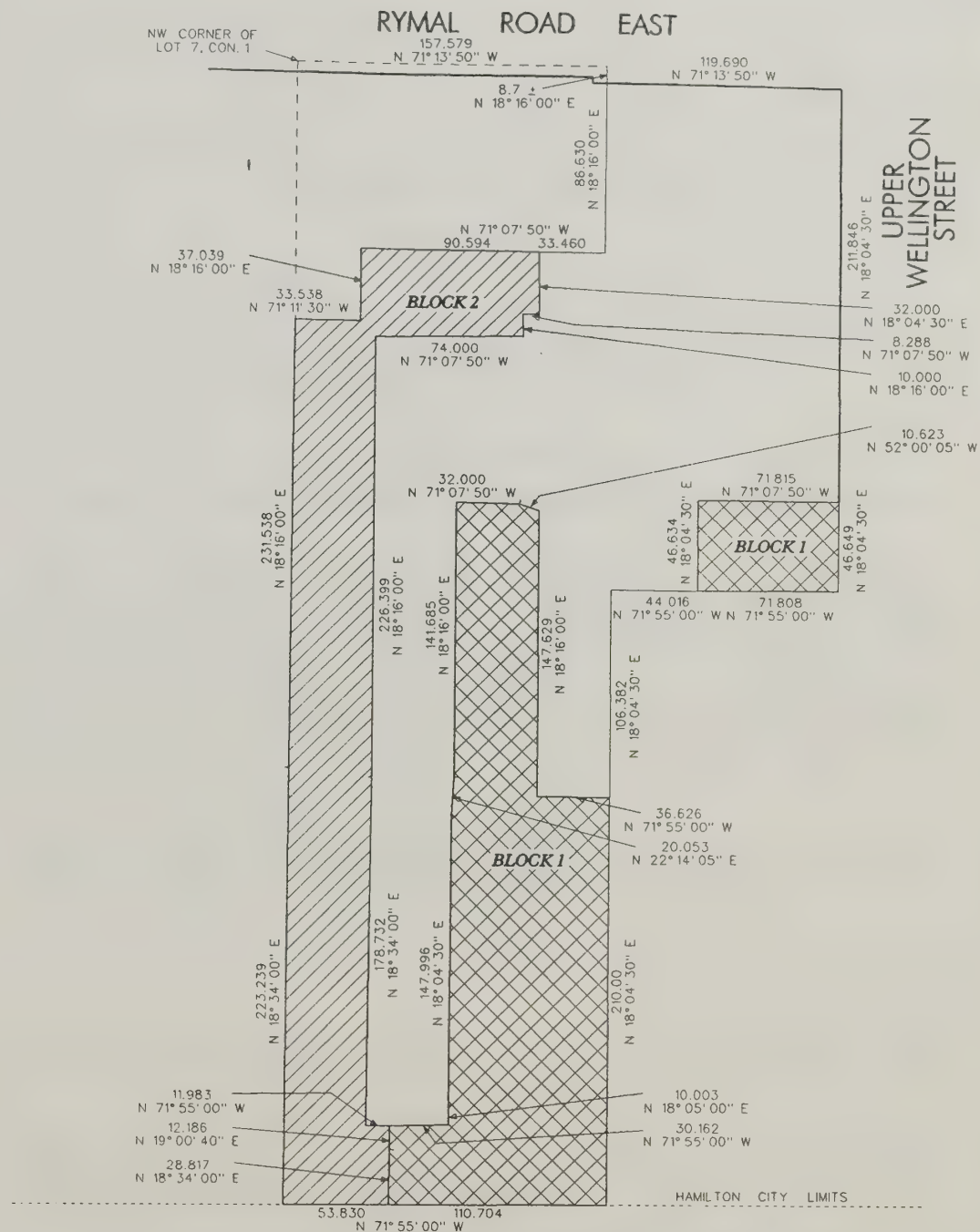


CITY CLERK




MAYOR

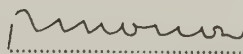
(1997) 10 R.P.D.C. 5, June 24
200 Rymal Road Inc.
(A. DiSilvestro, President), Owner
Amended ZAC-97-05



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-..152
Passed the ..08.th day of ..July....., 1997.


Clerk


Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-..152.
to Amend By-Law No. 6593

Planning and Development Department

Legend

Proposed Change in Zoning from:

BLK 1 "C" (Urban Protected Residential, etc.)
District to "R-4" (Small Lot Single Family Dwelling) District

BLK 2 Further Modification to "B-2" (Suburban Residential) District.

North



Scale
Not to Scale

Date
JUNE 1997

Reference File No.
ZAC-97-05

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 97-153

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 95-111

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 852 UPPER WENTWORTH STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 95-111 on the 9th day of May, 1995 to rezone Block 1 from "C" (Urban Protected Residential, etc.) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District and Block 2 from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District and to establish special requirements with respect to Blocks 1 and 2, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 3 of By-law No. 95-111 provides that upon the approval of a Site Plan incorporating Blocks 1 and 2 with the adjoining lands to the south and east, the 'H' symbol shall be removed by amendment to By-law No. 95-111;

AND WHEREAS approval of a Site Plan as deemed necessary by the City has been received;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item of the 11th Report of the Planning and Development Committee at its meeting held on the 2nd day of July, 1997 directed that By-law No. 95-111 be amended to remove the 'H' (Holding) symbol in respect of the subject lands.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 95-111, passed on the 9th day of May, 1995, to the "C"-'H' (Urban Protected Residential, etc. - Holding) District designation of Blocks 1 and 2, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan annexed as Schedule "A" to By-law No. 95-111 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 2. of By-law No. 95-111.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2 of By-law No. 95-111.

3. By-law No. 6593, as amended by By-law No. 95-111, is further amended by adding this by-law to section 19B as Schedule S-1336a.

4. Sheet No. E-18 of the District Maps, as amended by By-law No. 95-111, is amended by marking the lands referred to in section 1. of this by-law, S-1336a.

5. Sheet No. E-18 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1. of By-law No. 95-111, is further amended by changing from "C" - 'H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc.) District, the land, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

6. In all other respects, By-law No. 95-111 is hereby confirmed, unchanged.

PASSED this 08th

day of July

A.D. 1997.



CITY CLERK

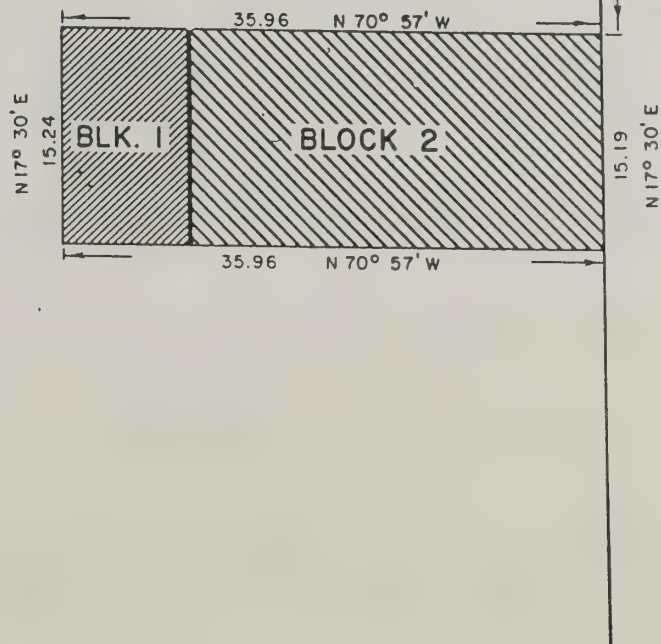



MAYOR

(1997) 11 R.P.D.C. , July 2
Nicola Clarizio, owner
ZAR-97-25
June 24, 1997

NORTH EAST CORNER
OF LOT 11 - CON. 6

MOHAWK ROAD EAST



UPPER WENTWORTH STREET

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-...153...
Passed the ...08th day of ...July..., 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-...153...
to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCK 1



BLOCK 2



Lands to be regulated by
By-law No. 97

North



Scale
Not to Scale

Date
June 1997

Reference File No.
ZAR 97-25

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 154

To Establish:

Site Plan Control

Respecting:

**LANDS LOCATED AT THE REAR OF
MUNICIPAL NOS. 1170-1180 UPPER JAMES STREET**

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

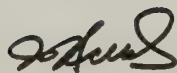
1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

163. Lands located at the Rear of Municipal Nos. 1170-1180 Upper James Street, shown on Appendix 163 hereto annexed and forming part of this by-law.

2. Appendix 163 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 08th day of July

A.D. 1997.



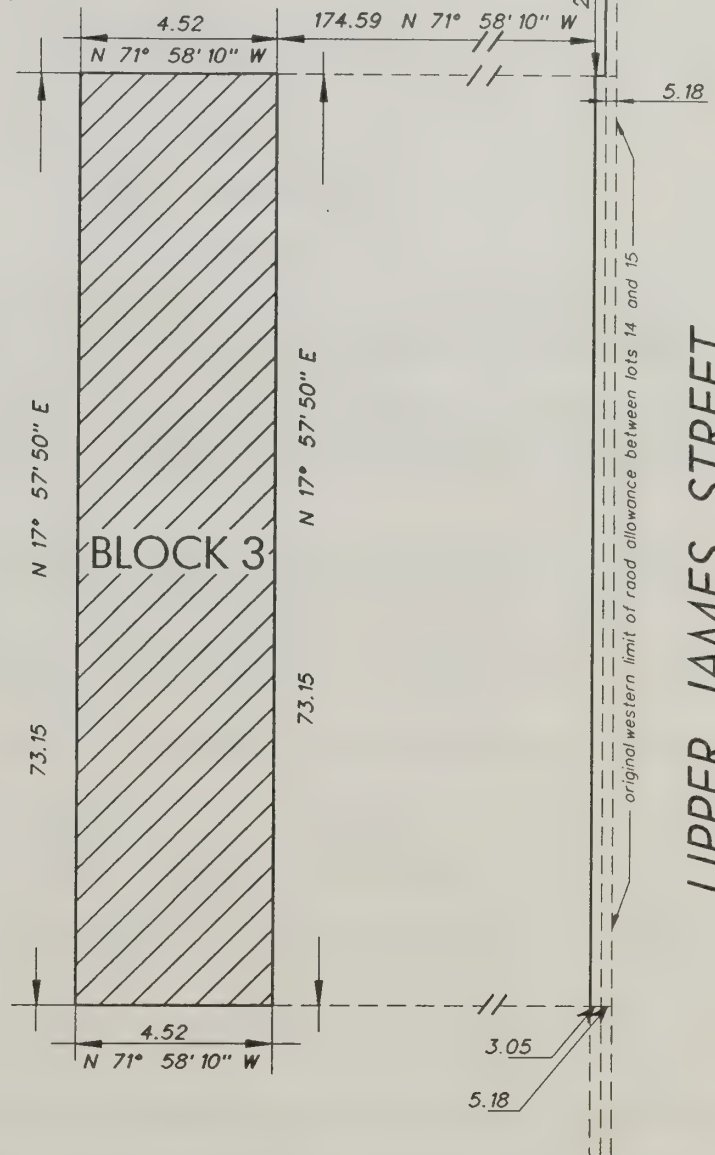
CITY CLERK



MAYOR

LIMERIDGE ROAD WEST

S/W Corner BTWN.
Concs. 6 & 7



UPPER JAMES STREET

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-154.....
Passed the 08th day of July, 1997.

[Signature]

Clerk

[Signature]

Mayor

City of Hamilton

Appendix 163

to the By-Law No. 79-275

as Amended by By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control
pursuant to section 41 of the
Planning Act, R. S. O. 1990.

North



Scale
NOT TO SCALE

Date
MAY 1997

Reference File No.
ZA-95-01

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 97 - 155

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED NORTH OF STONE CHURCH ROAD WEST AND EAST OF
GARTH STREET AT THE EASTERLY LIMITS OF BRIGADOON DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-17C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the lands comprised in Block 1;
- (b) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Block 2;

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1368.

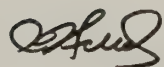
3. Sheet No. W-17C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1368.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 08th

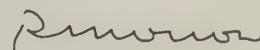
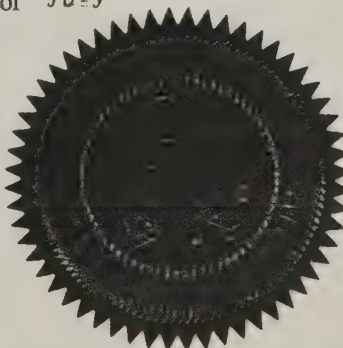
day of July

A.D. 1997

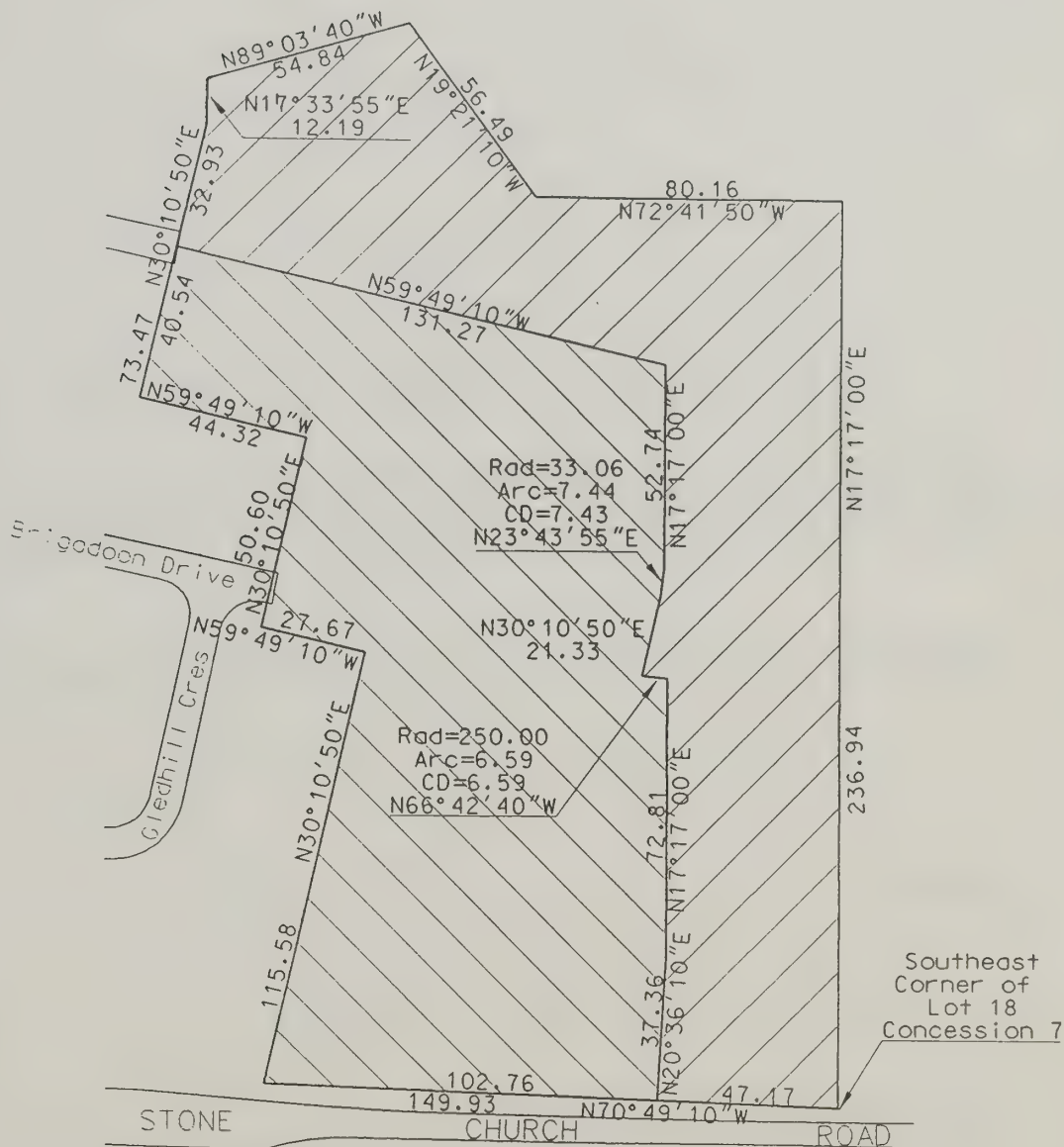


CITY CLERK

(1996) 13 R.P.D.C. 4(B), August 27
Ontario Realty Corporation, Owner
ZAC-95-12



MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-155.
Passed the 08th day of July, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-155..
to Amend By-Law No. 6593

Planning and Development Department

Legend

Proposed changes in zoning:

- BLOCK 1  from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
- BLOCK 2  from "AA" (Agricultural) District to "R-4" (Small Lot Single Family), District.

North



Scale
Not to Scale

Date
June 1997

Reference File No.
ZAR-97-15

Drawn By
S.H.

The Corporation of the City of Hamilton

BY-LAW NO. 97-156

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 117, 123, 131, 139 AND 151 STONE
CHURCH ROAD EAST**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Block "1";
- (b) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Block "2"; and
- (c) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the lands comprised in Block "3",

the extent and boundaries each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

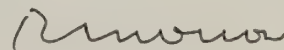
PASSED this 08th

day of July

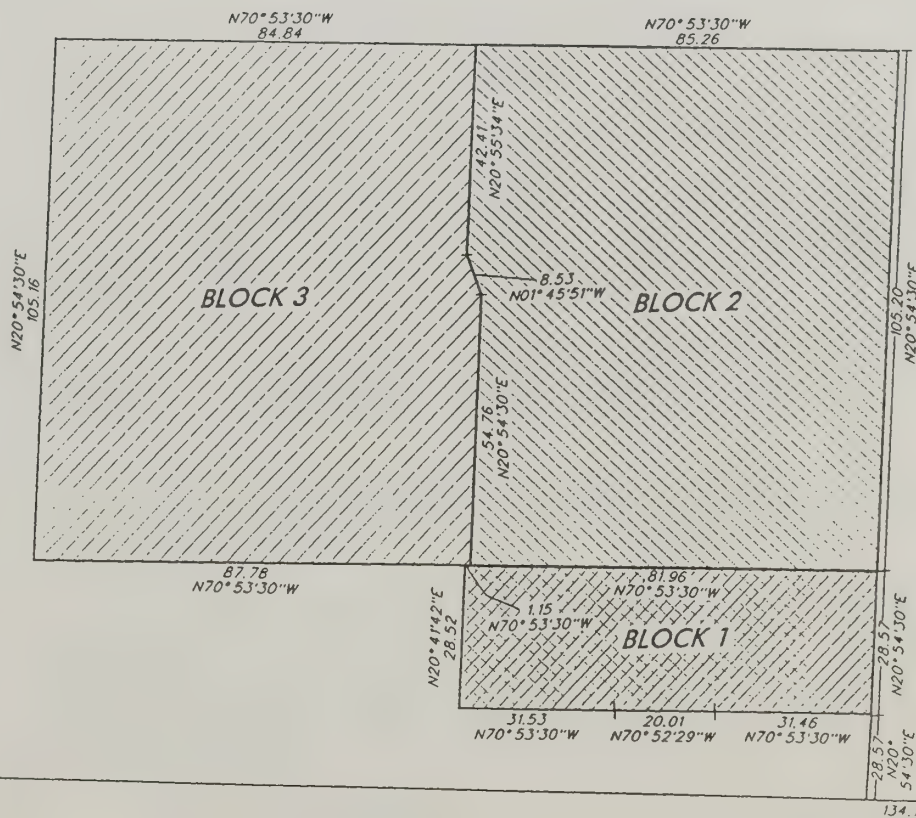
A.D. 1997.



CITY CLERK



MAYOR



UPPER WELLINGTON STREET

STONE CHURCH ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-156...
Passed the ...08th day of ...July..., 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

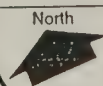
Map Forming Part of
By-Law No. 97-...156
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning:

- BLOCK 1**
From "C" (Urban Protected Residential, etc.) District, to "R-4" (Small Lot Single Family Dwelling) District.
- BLOCK 2**
From "AA" (Agricultural) District, to "R-4" (Small Lot Single Family Dwelling) District.
- BLOCK 3**
From "AA" (Agricultural) District, to "C" (Urban Protected Residential, etc.) District.



Scale
Not to Scale
Date
JULY 1997

Reference File No.
ZAR 97-14
Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 97- 157

To Amend:

By-laws No. 96-019, 97-54 and 97-90

Respecting:

THE BARTON VILLAGE BUSINESS IMPROVEMENT AREA

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-019 on the 13th day of February 1996 to amend By-law No. 87-178 by expanding the boundaries of the Barton East #1 Business Improvement Area as described in Schedule "B" annexed to By-law No. 96-019, to include 486 Barton Street East;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 97-54 on the 8th day of April 1997 to vary the composition of the Board of Management in respect of the Barton General Business Improvement Area;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 97-90 on the 29th day of April 1997 to authorize the levy of a special charge in respect of the Barton Street East #1 Business Improvement Area;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 8 of the 10th Report of the Planning and Development Committee on the 24th day of June 1997, directed that the name of the Barton Street East #1 Business Improvement Area and the Barton General Business Improvement Area be changed to "The Barton Village Business Improvement Area", in accordance with the Business Improvement Area's decision to change its name as part of its marketing strategy, as hereinafter provided.

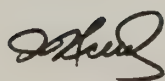
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 96-019, By-law No. 97-54 and By-law No. 97-90 are hereby amended by deleting all references to The Barton Street East #1 Business Improvement Area and The Barton General Business Improvement Area and replacing them with "The Barton Village Business Improvement Area".

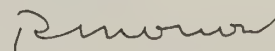
2. In all other respects, By-law No. 96-019, By-law No. 97-54 and By-law No. 97-90 are hereby confirmed, unchanged.

PASSED this 08th day of July

A.D. 1997



CITY CLERK



MAYOR

BY-LAW NO. 97 - 158

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 8th DAY OF JULY, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

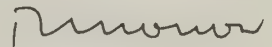
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 8th day of July 1997



CITY CLERK



MAYOR

BY-LAW NO. 97 - 159

**CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE
CITY OF HAMILTON AT ITS MEETING HELD ON THE 17TH DAY OF JULY
A.D., 1997.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 17th day of July A.D. 1997



CITY CLERK



ACTING MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-160

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

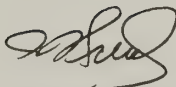
NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That Schedule 10 (Stops at Intersections) of said By-law is hereby amended by adding thereto the following items, namely:-

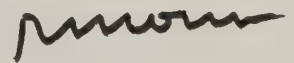
"Coral	Northbound	Fielding
" Fielding	Eastbound and Westbound	Coral."

2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this 24th day of July 1997.


CITY CLERK




MAYOR

BY-LAW NO. 97 - 161

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 24TH DAY OF JULY A.D., 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

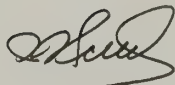
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

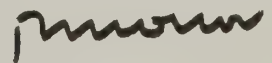
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 24th day of July A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

By-law No. 97-162

To Amend:

By-law No. 86-77
The Streets By-law

Respecting:

PANHANDLING

WHEREAS paragraph 140, Section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes municipalities to enact by-laws to regulate public nuisances;

AND WHEREAS Section 102 of the Municipal Act allows that every council may pass such by-laws and make such regulations for the health, safety, morality and welfare of the inhabitants of the municipality in matters not specifically provided for by the Municipal Act as may be deemed expedient and are not contrary to law;

AND WHEREAS the Council of the City of Hamilton deems it necessary to ensure citizens reasonably unencumbered access to pedestrian walkways within the City of Hamilton;

AND WHEREAS Council, on Thursday, 1997 August 7th, in adopting Section One of the Seventeenth Report for 1997 of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Section 16 of By-law No. 86-77 is amended by the addition of the following subsections:

(12) 12.1 For the purposes of this subsection:

- (a) "cease" means to stop or bring to an end.
- (b) "congregate" means to gather into a group of more than one person.
- (c) "obstruct" means to interfere with or make difficult of passage.
- (d) "officer" means a sworn member of the Hamilton-Wentworth Regional Police Service or a municipal by-law enforcement officer appointed by the City of Hamilton.

General:

12.2 No person shall congregate and sit or stand so as to obstruct the free passage of either pedestrian or vehicular traffic on any streets or sidewalks regulated by this By-law.

12.3 Any person who obstructs pedestrian or vehicular traffic on a sidewalk or street shall, when directed to do so by an officer, cease such obstruction.

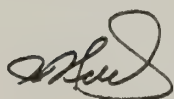
Exclusions:

- 12.4 Any parade, festive occasion or other event approved by the City of Hamilton shall be excluded from the provisions of this subsection.

Enforcement:

- 12.5 Sworn members of the Hamilton-Wentworth Regional Police Service and municipal by-law enforcement officers of the City of Hamilton are authorized to enforce the provisions of this by-law.
- (13) 13.1 For the purposes of this subsection, "aggressive panhandling" means:
- (a) approaching, speaking to or following a person for the purpose of entreating or urging that person to give money, in such a manner as would cause a reasonable person to fear bodily harm or harm to property on the person's immediate possession;
 - (b) touching a person without their consent while panhandling from such person;
 - (c) repeatedly panhandling from a person, or following a person after a person has made a negative response; or
 - (d) panhandling by standing, sitting or otherwise in such a manner so as to intentionally block, obstruct or interfere with the safe passage of pedestrians or vehicles, including unreasonably causing a person or vehicle to take evasive action to avoid physical contact.
- 13.2 No person shall aggressively panhandle on any streets or sidewalks regulated by this by-law.
- 13.3 No person shall solicit money from any pedestrian by panhandling on any streets or sidewalks regulated by this by-law in such a manner as to interfere with the ability of pedestrians to enter business establishments located on such streets.

PASSED this 7th day of August 1997.



CITY CLERK




MAYOR

BY-LAW NO. 97 -163

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 7th DAY OF AUGUST, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 7th day of August 1997



CITY CLERK



MAYOR



BY-LAW NO. 97 -164

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 12th DAY OF AUGUST, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 12th day of August 1997



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-165

TO INCORPORATE CITY LAND
DESIGNATED AS PART 16, PLAN 62R-11054
INTO FIELDWAY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Fieldway Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Fieldway Drive.

Part of Lot 11, Concession 6 in the geographic township of Barton designated as Part 16 on Plan 62R-11054.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 26th day of August A.D. 1997

A. J. Wolbuck

Acting
City Clerk



Thomson

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 166

TO INCORPORATE CITY LAND
DESIGNATED AS PART 2 ON PLAN 62R-14168
INTO APPLEBLOSSOM DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Appleblossom Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Appleblossom Drive.

Part of Lot 40, Registered Plan 823 designated as Part 2 on Plan 62R-14168.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 26th day of August A.D. 1997

D. Mollonell

Acting
City Clerk



[Signature]

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-167

TO INCORPORATE CITY LAND
DESIGNATED AS PART 3 ON PLAN 62R-14202
INTO NASH ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Nash Road within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Nash Road.

Part of Lot 29, Concession 1 in the geographic Township of Saltfleet designated as Part 3 on Plan 62R-14202.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 26th day of August A.D. 1997

St. Hollonell

Acting
City Clerk



[Signature]

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-168

TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 2 & 5 ON PLAN 62R-13955
INTO GARSIDE AVENUE NORTH

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Garside Avenue North within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Garside Avenue North.

Part of Garside Avenue, Registered Plan 520, designated as Parts 2 & 5 on Plan 62R-13955.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 26th day of August A.D. 1997

D. J. McLaughlin



Tim McManus

Acting City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-169

TO STOP-UP, CLOSE AND SELL A PORTION OF THE ALLEY AT THE REAR
OF 85 MOUNTAIN AVENUE DESIGNATED AS PART 3 ON PLAN 62R-14117

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 4 of the 7th Report of the Transport and Environment Committee on 1997 June 24 authorized the City to stop-up, close and sell that portion of an alley now designated as Part 3 on Plan 62R-14117.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the stop-up, close and sale of a portion of the Alley lying at the rear of 85 Mountain Avenue, designated as:
Part 3 on Plan 62R-14117

City of Hamilton

Regional Municipality of Hamilton-Wentworth

be hereby authorized.

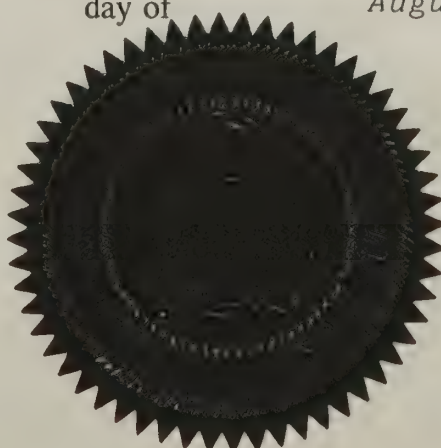
2. That the alley being closed designated as Part 3 on Plan 62R-14117 be sold to Gerard Martin and Maria McManus for the sum of \$1.00.

3. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this 26th day of August A.D. 1997



Acting City Clerk





Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 170

TO STOP-UP CLOSE AND SELL A PORTION OF
UPPER HORNING ROAD LYING EAST OF OMNI BOULEVARD
DESIGNATED AS PART 5 ON PLAN 62R-9295

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 2 of the 7th Report of the Transport and Environment Committee on 1997 June 24 authorized the City to stop-up, close and sell that portion of Upper Horning Road designated as Part 5 on Plan 62R-9295.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the stop-up, close and sell of Upper Horning Road lying east of Omni Boulevard designated as:
Part 5 on Plan 62R-9295.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Be hereby authorized.

2. That the portion of Upper Horning Road being closed designated as Part 5 on Plan 62R-9295 be sold to DiCenzo Construction Company Limited and Sunshine Construction Inc. as approved by City Council on 1997 June 24 in adopting Item 33 of the 7th Report of the Transport & Environment Committee for the sum of \$12,600.
3. That this By-Law shall come to force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this 26th day of August A.D. 1997



Acting City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 171

TO ALTER CENTENNIAL PARKWAY FROM APPROXIMATELY 50 METRES SOUTH OF ARROWSMITH ROAD TO APPROXIMATELY 210 METRES NORTH OF ARROWSMITH ROAD; TO ALTER ARROWSMITH ROAD FROM CENTENNIAL PARKWAY TO APPROXIMATELY 120 METRES WESTERLY; TO ALTER CASCADE STREET AT ITS WESTERLY END

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of the Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS these portions of highway known as Centennial Parkway, Arrowsmith Road and Cascade Street are local roads under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS the Council of the Corporation of the City of Hamilton, in adopting Item 43 of the 7th Report of the Transport and Environment Committee on 1997 June 24, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to alter Centennial Parkway, Arrowsmith Road and Cascade Street as hereinafter described;

AND WHEREAS Notice of the City's intention to pass this By-law to authorize the said alterations has been published as required by Section 300 of the Municipal Act for four (4) consecutive weeks in the The Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the alterations be approved and carried out on Centennial Parkway to construct left turn lanes north and south of Arrowsmith Road, to install raised concrete median islands from approximately 17 metres south of the centreline of Arrowsmith Road to approximately 31 metres southerly, to widen the west curb lane from Arrowsmith Road to approximately 50 metres southerly, to remove, reconstruct and extend the raised concrete median island from approximately 17 metres north of the centreline of Arrowsmith Road to approximately 180 metres northerly, and to widen the east curb lane from Arrowsmith Road to approximately 210 metres northerly.
2. That the alterations be approved and carried out on Arrowsmith Road to construct turning lanes and to reconstruct and widen the north and south sides of the existing pavement from Centennial Parkway to approximately 120 metres westerly.

Page 2

To Alter Centennial Parkway from approximately 50 metres south of Arrowsmith Road to approximately 210 metres north of Arrowsmith Road; to Alter Arrowsmith Road from Centennial Parkway to Approximately 120 metres Westerly; to Alter Cascade Street at its Westerly End.

By-Law 97-

3. That the alterations be approved and carried out on Cascade Street to construct a combined curb and gutter traffic turning circle at the westerly end of the street.
4. That the Mayor and the City Clerk are hereby authorized to execute, on behalf of the Corporation of The City of Hamilton, all contracts necessary for the construction of the said works.

PASSED this 26th day of August A.D. 1997

J. W. McLaughlin

Acting City Clerk



P. McLaughlin

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 172

TO SELL A CLOSED PORTION OF GREENHILL AVENUE AND
A CLOSED PORTION OF NEWLANDS ROAD DESIGNATED
AS PART 3 ON PLAN 62R-7888 AND PART 2 ON PLAN 62R-6273

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the said Greenhill Avenue and Newlands Road have been closed by City of Hamilton By-Law 86-79 registered as Instrument 345242CD and by Judge's Order registered as Instrument 164622 respectively and as authorized by City Council in adopting Items 28 & 29 of the 18th Report of the Transport and Environment Committee on 1985 October 29.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of a portion of closed Greenhill Avenue and Newlands Road designated as Part 3 on Plan 62R-7888 and Part 2 on Plan 62R-6273.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

are hereby authorized.

2. That the closed streets designated as Part 3 on Plan 62R-7888 and Part 2 on Plan 62R-6273 along with other lands be sold to the Regional Municipality of Hamilton-Wentworth as approved by City Council on 1985 July 30 in adopting Item 8 of the 13th Report of the Parks and Recreation Committee for the sum of \$5,272.00.

PASSED this 26th day of August A.D. 1997



Acting City Clerk





Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-173

**BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 25 (Parking Time Limits)** of said By-law is hereby amended by adding thereto the following items, namely:-

"East 35th	West	Concession to the northerly end	1 hr	8 am - 6 pm	Mon - Fri
Skylark	Both	Limeridge to Pheasant	1 hr	8 am - 8 am (24hrs)	Mon - Sun
Munn	Both	East 31st to East 33rd	3 hr	8 am - 6 pm	Mon - Fri
West 33rd	Both	Angela to Scenic	1 hr	8 am - 6 pm	Mon - Fri."

2. That **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Valery	East	commencing 72 feet south of the east/west leg of Valery and extending 26 feet southerly therefrom	Anytime
Avondale	West	Mons to the C.N.R. Main Line	Anytime
Roseland	South	commencing at Blake and extending to a point 18 feet west of the easterly end	Anytime
Abbington	East	commencing at the north curb line of Abbington and extending 38 feet northerly therefrom	Anytime
Abbington	North	commencing at the east curb line of Abbington and extending 48 feet easterly therefrom	Anytime

Locke	West	commencing 119 feet north of Charlton and extending 27 feet northerly therefrom	Anytime."
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and by deleting therefrom the following items, namely:-

"Valery	East	from the east-west leg of Valery to the southerly limit of House No. 29	Anytime
Avondale	East	Mons to 103 ft. south of the C.N.R. Main Line	Anytime
Roseland	South	Blake to end	Anytime
Thorndale	East	commencing at a point 183 feet south of Main to a point 41 feet southerly therefrom	Anytime
East 35th	West	Concession to northerly end 10 am - 2 pm	Mon - Fri."

3. That **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Brock	South	commencing 89 feet east of John and extending 24 feet easterly therefrom	Anytime
Land	North	commencing 60 feet west of Niagara and extending 19 feet westerly therefrom	Anytime
Sanford	West	commencing 147 feet north of Barton and extending 227 feet northerly therefrom	Anytime
Mary	West	commencing 119 feet south of Murray and extending 16 feet southerly therefrom	Anytime
Norman	East	commencing 197 feet south of Argyle and extending 20 feet southerly therefrom	Anytime
Strathearne	West	commencing 438 feet south of Barton and extending 23 feet southerly therefrom	Anytime
Campbell	North	commencing 64 feet east of Carlisle and extending 24 feet easterly therefrom	Anytime
Campbell	South	commencing 44 feet east of the east curb line of Carlisle and extending 16 feet easterly therefrom	Anytime."

and by deleting therefrom the following items, namely:-

"Adeline	East	commencing at a point 29 feet south of Roxborough and extending 22 feet southerly therefrom	Anytime
Adeline	West	commencing at a point 50 feet south of Roxborough and extending 20 feet southerly therefrom	Anytime

Tragina	East	commencing 66 feet south of Vansitmart to 22 feet southerly therefrom	Anytime
Hughson	West	commencing 240 feet south of the south curb line of Brock and extending 18 feet southerly	Anytime
Sanford	West	commencing 147 feet north of Barton and extending to the south curb line of Myler	Anytime
Dunsmure	North	commencing 96 feet east of Park Row and extending 19 feet easterly therefrom	Anytime
Dunsmure	South	commencing 102 feet east of Park Row and extending 18 feet easterly therefrom	Anytime."

4. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this *26th* day of *August* 1997.

S. J. Hollenbeck

ACTING CITY CLERK



[Signature]

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 174

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Berkindale	Eastbound and Westbound	Sylvester
Albion Falls (north leg)	Westbound	Corinthian
Delena	Northbound and Southbound	Dunsmure
Normandy	Eastbound and Westbound	Auburn."

2. That **Schedule 16 (No Left Turn At Certain Intersections)** of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Westerly entrance/exit Limeridge Mall (Limeridge Road)	Southerly	Limeridge Road	Anytime."
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3. That **Schedule 23 (Hamilton Street Railway - Bus Stops)** of said By-law is hereby amended by adding to the **Outbound** column thereof the following item, namely:-

"King 28 feet east of Sterling (NS)."

4. That **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Milkyway/ Trenholme	South	commencing 60 feet west of the west curb line of Upper Kenilworth and extending 123 feet easterly therefrom	Anytime
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Roseland	North	commencing at the easterly end and extending 17 feet westerly therefrom	Anytime
Upper Kenilworth	West	commencing at Elliot and extending 69 feet northerly therefrom	Anytime
Upper Kenilworth	West	commencing at Elliot and extending 38 feet southerly therefrom	Anytime."

and by deleting therefrom the following item, namely:-

"Connaught	West	Dunsmure to 52 ft. south	Anytime."
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5. That **Schedule 30 (Commercial Loading Zones)** of said By-law be amended by adding thereto the following item, namely:-

"Catharine	West	60 feet	87 feet south of Young	8:00 a.m. - 5:00 p.m. Monday to Friday."
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and by deleting therefrom the following item, namely:-

"Catharine	West	40 feet	77 ft. south of Young	8:00 a.m. - 12:00 noon Mon to Fri."
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6. That **Schedule 35 (Wheelchair Loading Zones)** of said By-law be amended by adding thereto the following item, namely:-

"Tragina	West	23 feet	66 feet south of Vansitmart	8:00 a.m.- 11:00 p.m.
Pearl	East	15 feet	32 feet south of Peter	12:00 noon - 8:00 p.m."

and by deleting therefrom the following item, namely:-

"Tragina	West	23 feet	66 feet south of Vansitmart	8:00 a.m. - 11.00 p.m. Monday to Friday."
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7. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this 26th day of August 1997.

D. H. Holloway

CTING CITY CLERK



Thomson

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97- 175

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Greenhill Eastbound and Westbound Hildegard."

2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this 26th day of August 1997.

D. J. McLaughlin

CITY CLERK



[Signature]

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-176

To Amend:

By-law No. 86-99

As Amended by By-laws No. 92-056 and 97-010

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-99, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-31, passed on the 10th day of December 1985, known as the "Ottawa Street North Business Improvement Area", more particularly described in By-law No. 86-31, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-056, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-99;

AND WHEREAS By-law No. 97-010, passed on the 28th day of January 1997, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-010;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 8 of the 11th Report of the Planning and Development Committee at its meeting held on the 8th day of July 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

Gord Culshaw
John Driscoll
John Gut
Tony Bifano
Greta Munt
Rosemary Young
Daniel Kwiatkowski
Toby Yull
John Bazinet

Culshaw Cakes
Ottawa Market and Discount Center
Textile Centre
Anton Video
Greta's Flair
Wentworth Paints
Beach Road Meats
Toby's Interior Design
L. G. Wallace Funeral Home

2. By-law No. 97-010 is hereby repealed in its entirety.
3. In all other respects, By-law No. 86-99, as amended, is hereby confirmed, unchanged.

PASSED this 26th day of

August

A.D. 1997

S. J. Molloney



[Signature]

ACTING CITY CLERK

MAYOR

(1997) 11 R.P.D.C. 8, July 8

The Corporation of the City of Hamilton

BY-LAW NO. 97- 177

To Amend:

Zoning By-law No. 6593
and To Repeal Zoning By-law No. 94-027

Respecting:

LAND LOCATED AT MUNICIPAL NO. 73 GARFIELD AVENUE SOUTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 94-027 on the 22nd day of February 1994 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District, in respect to the above-mentioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was authorized by the Ontario Municipal Board by Order dated the 10th day of November 1992;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 12th Report of the Planning and Development Committee at its meeting held on the 8th day of July 1997, recommended that Zoning By-law No. 6593 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 94-027 is hereby repealed in its entirety.
2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,
 - (a) notwithstanding Section 9.(1) of Zoning By-law No. 6593, the following uses shall be permitted:
 - (i) a senior citizens facility containing "housekeeping dwellings units" for the accommodation of not more than thirty-six residents within the building existing at the time of the passing of the by-law where not more than 2 residents shall be accommodated in a housekeeping dwelling unit; and,
 - (ii) lounges, common spaces, kitchen facilities, a dining room in conjunction with a senior citizens facility;
 - (b) for the purposes of the By-law, a senior citizens facility means a facility within which all residents are at least 60 years of age or older;
 - (c) notwithstanding Section 9.(2) of Zoning By-law No. 6593, no building shall exceed 5 storeys and 12 m in height;

- (d) notwithstanding Table 1 of Section 18A. of Zoning By-law No. 6593, not less than 13 parking spaces shall be provided and maintained;
- (e) notwithstanding Section 18A(7) of Zoning By-law No. 6593, eleven of the required parking spaces shall have dimensions of not less than 2.5m by 5.7m;
- (f) notwithstanding Section 18A(8) of Zoning By-law No. 6593, the two parallel parking spaces shall have a length of not less than 6.3 m;
- (g) notwithstanding Section 18A(9) of Zoning By-law No. 6593, part of the manoeuvring area for the two parallel parking spaces shall be provided off-site;
- (h) Sections 18A(1)(c), 18A(11)(a), 18A(12)(a) and 18A(25) of Zoning By-law No. 6593 shall not apply;
- (i) notwithstanding Section 18A(12)(c) of Zoning By-law No. 6593, a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly lot line except that no visual barrier shall be situate less than 3.0 m in distance from the front lot line;
- (j) notwithstanding Section 18A(24)(b)(i) of By-law No. 6593, the existing unassumed alleyway located to the rear of the lands shall provide the required access for the required parking area located on site;
- (k) a landscaped area not less than 105.0 m² shall be provided and maintained in the front yard.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1376.

5. Sheet No. E-33 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1376.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 26th day of August A.D. 1997

D. McCone

[Signature]

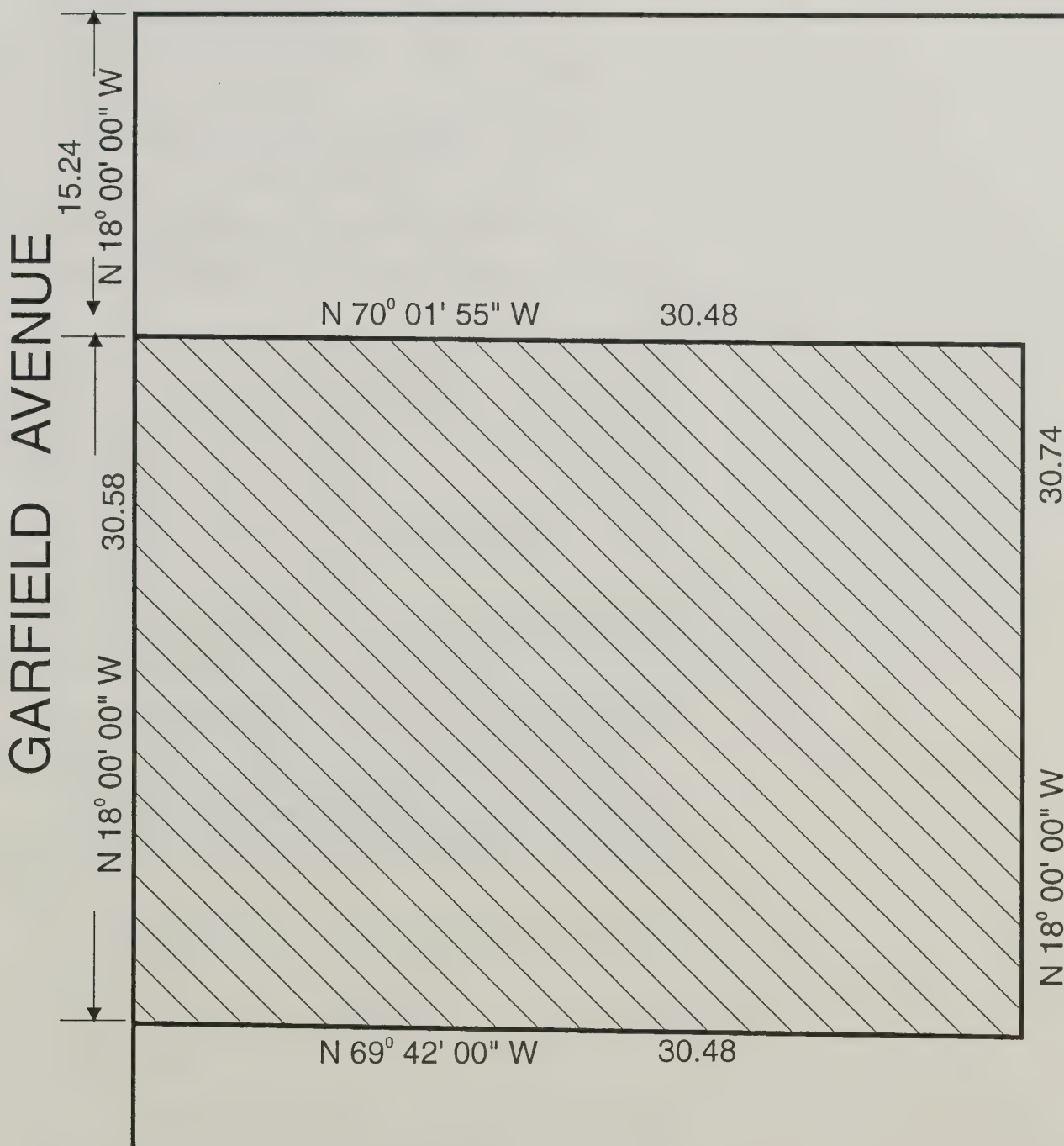
ACTING CITY CLERK

MAYOR



(1997) 12 R.P.D.C. 1, July 8
Alfrin Enterprises Corporation
(Al Frisina), Owner
Amended ZAC-96-11
July 10, 1997

DUNSMURE AVENUE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-177...
Passed the 26th day of August, 1997.

[Signature]
Acting Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-177.
to Amend By-Law No. 6593

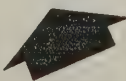
Planning and Development Department

Legend



Modification to the "C" (Urban Protected
Residential, etc.) District regulations.

North



Scale
Not to Scale

Date
July 1997

Reference File No.
ZAC 96-11

Drawn By
B.B.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.97-178

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 26th day of August, 1997



ACTING CITY CLERK



MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	84 HILDEGARD DR.
	SERIAL NUMBER	05 05360 6262
	BRIEF LEGAL DESCRIPTION	PLAN M28 LOT 341
	DATE OF REGISTRATION	AUGUST 9, 1996
	TAX ARREARS CERTIFICATE #	LT415808
	REDEMPTION DATE	AUGUST 9, 1997
	TOTAL ARREARS	\$22,018.03
B)	PROPERTY ADDRESS	529 CONCESSION ST.
	SERIAL NUMBER	07 06720 0010
	BRIEF LEGAL DESCRIPTION	CON 3 PT LOT 10 BTN HAM
	DATE OF REGISTRATION	AUGUST 9, 1996
	TAX ARREARS CERTIFICATE #	LT415805
	REDEMPTION DATE	AUGUST 9, 1997
	TOTAL ARREARS	\$156,209.06
C)	PROPERTY ADDRESS	1527 UPPER OTTAWA ST. UNIT 13
	SERIAL NUMBER	06 07210 3966
	BRIEF LEGAL DESCRIPTION	WENTWORTH CONDO PLAN 146
	DATE OF REGISTRATION	AUGUST 21, 1996
	TAX ARREARS CERTIFICATE #	LT416952
	REDEMPTION DATE	AUGUST 21, 1997
	TOTAL ARREARS	\$21,793.29
D)	PROPERTY ADDRESS	1527 UPPER OTTAWA ST. UNIT 12
	SERIAL NUMBER	06 07210 3963
	BRIEF LEGAL DESCRIPTION	WENTWORTH CONDO PLAN 146
	DATE OF REGISTRATION	AUGUST 21, 1996
	TAX ARREARS CERTIFICATE #	LT416953
	REDEMPTION DATE	AUGUST 21, 1997
	TOTAL ARREARS	\$16,298.05
E)	PROPERTY ADDRESS	803 CANNON ST. E.
	SERIAL NUMBER	03 02640 1930
	BRIEF LEGAL DESCRIPTION	PLAN 477 LOT 108 PT LOT 109
	DATE OF REGISTRATION	AUGUST 21, 1996
	TAX ARREARS CERTIFICATE #	LT416951
	REDEMPTION DATE	AUGUST 21, 1997
	TOTAL ARREARS	\$19,299.50

F)	PROPERTY ADDRESS	18 SAN FERNANDO DR.
	SERIAL NUMBER	08 10910 4880
	BRIEF LEGAL DESCRIPTION	PLAN M58 LOT 23
	DATE OF REGISTRATION	AUGUST 16, 1996
	TAX ARREARS CERTIFICATE #	LT416608
	REDEMPTION DATE	AUGUST 16, 1997
	TOTAL ARREARS	\$21,284.89
G)	PROPERTY ADDRESS	607 EAGLEWOOD DR.
	SERIAL NUMBER	07 07420 5844
	BRIEF LEGAL DESCRIPTION	PLAN 62M643 LOT 16
	DATE OF REGISTRATION	SEPTEMBER 9, 1996
	TAX ARREARS CERTIFICATE #	LT419334
	REDEMPTION DATE	SEPTEMBER 9, 1997
	TOTAL ARREARS	\$12,447.96
H)	PROPERTY ADDRESS	531 UPPER WENTWORTH
	SERIAL NUMBER	07 06740 0730
	BRIEF LEGAL DESCRIPTION	PLAN 746 LOT 65
	DATE OF REGISTRATION	SEPTEMBER 9, 1996
	TAX ARREARS CERTIFICATE #	LT419335
	REDEMPTION DATE	SEPTEMBER 9, 1997
	TOTAL ARREARS	\$11,840.92
I)	PROPERTY ADDRESS	869 QUEENSDALE AVE. E.
	SERIAL NUMBER	06 06250 6900
	BRIEF LEGAL DESCRIPTION	PLAN 775 PT LOT 20 PT LOT 21
	DATE OF REGISTRATION	SEPTEMBER 9, 1996
	TAX ARREARS CERTIFICATE #	LT419333
	REDEMPTION DATE	SEPTEMBER 9, 1997
	TOTAL ARREARS	\$11,148.08
J)	PROPERTY ADDRESS	51 QUEENSTON RD.
	SERIAL NUMBER	05 03810 0430
	BRIEF LEGAL DESCRIPTION	CON 2 PT LOT 34 SLT HAM
	DATE OF REGISTRATION	AUGUST 21, 1996
	TAX ARREARS CERTIFICATE #	LT416937
	REDEMPTION DATE	AUGUST 21, 1997
	TOTAL ARREARS	\$501,268.67
K)	PROPERTY ADDRESS	140 BEACH RD.
	SERIAL NUMBER	04 02875 1520
	BRIEF LEGAL DESCRIPTION	PLAN 465 LOT 64
	DATE OF REGISTRATION	AUGUST 21, 1996
	TAX ARREARS CERTIFICATE #	VM233300
	REDEMPTION DATE	AUGUST 21, 1997
	TOTAL ARREARS	\$16,976.14

L)	PROPERTY ADDRESS	154 SANFORD AVE. N.
	SERIAL NUMBER	03 02330 6710
	BRIEF LEGAL DESCRIPTION	PLAN 211 PT LOT 27
	DATE OF REGISTRATION	SEPTEMBER 18, 1996
	TAX ARREARS CERTIFICATE #	VM234202
	REDEMPTION DATE	SEPTEMBER 18, 1997
	TOTAL ARREARS	\$13,715.08
M)	PROPERTY ADDRESS	382 SHERMAN N
	SERIAL NUMBER	03 02710 0490
	BRIEF LEGAL DESCRIPTION	PLAN 159 PT LOTS 53 & 54
	DATE OF REGISTRATION	SEPTEMBER 18, 1996
	TAX ARREARS CERTIFICATE #	VM234202
	REDEMPTION DATE	SEPTEMBER 18, 1997
	TOTAL ARREARS	\$12,333.61
N)	PROPERTY ADDRESS	1630 UPPER GAGE AVE.
	SERIAL NUMBER	07 07410 6820
	BRIEF LEGAL DESCRIPTION	CON 8 PT LOT 7 BTN HAM
	DATE OF REGISTRATION	SEPTEMBER 24, 1996
	TAX ARREARS CERTIFICATE #	LT420809
	REDEMPTION DATE	SEPTEMBER 24, 1997
	TOTAL ARREARS	\$34,579.67
O)	PROPERTY ADDRESS	9 HEAD ST.
	SERIAL NUMBER	01 01035 0490
	BRIEF LEGAL DESCRIPTION	SURVEY A N MCNAB PT LOTS 19&20
	DATE OF REGISTRATION	SEPTEMBER 24, 1996
	TAX ARREARS CERTIFICATE #	VM234397
	REDEMPTION DATE	SEPTEMBER 24, 1997
	TOTAL ARREARS	\$8,455.34
P)	PROPERTY ADDRESS	1304 UPPER GAGE AVE.
	SERIAL NUMBER	07 06910 5360
	BRIEF LEGAL DESCRIPTION	CON 7 PT LOT 7 BTN HAM
	DATE OF REGISTRATION	SEPTEMBER 24, 1996
	TAX ARREARS CERTIFICATE #	LT420811
	REDEMPTION DATE	SEPTEMBER 24, 1997
	TOTAL ARREARS	\$14,888.61
Q)	PROPERTY ADDRESS	132 OTTAWA ST. S.
	SERIAL NUMBER	04 02930 4250
	BRIEF LEGAL DESCRIPTION	PLAN 548 PT LOT 106 & 107
	DATE OF REGISTRATION	SEPTEMBER 24, 1996
	TAX ARREARS CERTIFICATE #	LT420804
	REDEMPTION DATE	SEPTEMBER 24, 1997
	TOTAL ARREARS	\$14,759.79

R)	PROPERTY ADDRESS	141 BALSAM AVE. S.
	SERIAL NUMBER	03 02540 2260
	BRIEF LEGAL DESCRIPTION	PLAN 439 PT LOTS 30, 31 & 32
	DATE OF REGISTRATION	SEPTEMBER 24, 1996
	TAX ARREARS CERTIFICATE #	LT420810
	REDEMPTION DATE	SEPTEMBER 24, 1997
	TOTAL ARREARS	\$12,127.71
S)	PROPERTY ADDRESS	21 SEVERN ST.
	SERIAL NUMBER	02 0126 07670
	BRIEF LEGAL DESCRIPTION	PLAN 37 PT LOTS 9 & 10
	DATE OF REGISTRATION	SEPTEMBER 24, 1996
	TAX ARREARS CERTIFICATE #	VM239900
	REDEMPTION DATE	SEPTEMBER 24, 1997
	TOTAL ARREARS	\$8,235.69
T)	PROPERTY ADDRESS	65 MAGILL ST.
	SERIAL NUMBER	01 01050 0460
	BRIEF LEGAL DESCRIPTION	PLAN 251 RT LOT 6 & 7
	DATE OF REGISTRATION	SEPTEMBER 26, 1996
	TAX ARREARS CERTIFICATE #	VM234483
	REDEMPTION DATE	SEPTEMBER 26, 1997
	TOTAL ARREARS	\$9,396.88
U)	PROPERTY ADDRESS	145 EMERALD ST. S.
	SERIAL NUMBER	03 02040 1510
	BRIEF LEGAL DESCRIPTION	REG COMP PLAN 1360 LOT 23
	DATE OF REGISTRATION	SEPTEMBER 26, 1996
	TAX ARREARS CERTIFICATE #	LT421133
	REDEMPTION DATE	SEPTEMBER 26, 1997
	TOTAL ARREARS	\$23,356.54
V)	PROPERTY ADDRESS	261 HOLTON AVE. S.
	SERIAL NUMBER	03 02450 1090
	BRIEF LEGAL DESCRIPTION	PLAN 411 LOT 41
	DATE OF REGISTRATION	OCTOBER 18, 1996
	TAX ARREARS CERTIFICATE #	LT423803
	REDEMPTION DATE	OCTOBER 18, 1997
	TOTAL ARREARS	\$10,135.41
W)	PROPERTY ADDRESS	332 GAGE AVE. N.
	SERIAL NUMBER	04 02870 7140
	BRIEF LEGAL DESCRIPTION	PLAN 465 PT LOT 4
	DATE OF REGISTRATION	OCTOBER 22, 1996
	TAX ARREARS CERTIFICATE #	VM235289
	REDEMPTION DATE	OCTOBER 22, 1997
	TOTAL ARREARS	\$8,146.54

X)	PROPERTY ADDRESS	560 KING ST. W.
	SERIAL NUMBER	01 01035 3060
	BRIEF LEGAL DESCRIPTION	PLAN 46 LOT B
	DATE OF REGISTRATION	JULY 23, 1997
	TAX ARREARS CERTIFICATE #	LT461802
	REDEMPTION DATE	JULY 23, 1998
	TOTAL ARREARS	\$35,820.39
Y)	PROPERTY ADDRESS	11 STRATHCONA AVE. N.
	SERIAL NUMBER	01 01035 0900
	BRIEF LEGAL DESCRIPTION	PLAN 46 PT LOT A
	DATE OF REGISTRATION	JULY 23, 1997
	TAX ARREARS CERTIFICATE #	LT461806
	REDEMPTION DATE	JULY 23, 1998
	TOTAL ARREARS	\$22,595
Z)	PROPERTY ADDRESS	84 BURLINGTON ST. W.
	SERIAL NUMBER	02 01330 8670
	BRIEF LEGAL DESCRIPTION	PLAN 127 PT LOT 4
	DATE OF REGISTRATION	SEPTEMBER 24, 1996
	TAX ARREARS CERTIFICATE #	VM234397
	REDEMPTION DATE	SEPTEMBER 24, 1997
	TOTAL ARREARS	\$8,531.85
AA)	PROPERTY ADDRESS	191 SHERMAN AVE. N.
	SERIAL NUMBER	03 02360 7800
	BRIEF LEGAL DESCRIPTION	PLAN 245 PT LOT 11
	DATE OF REGISTRATION	SEPTEMBER 26, 1996
	TAX ARREARS CERTIFICATE #	VM234481
	REDEMPTION DATE	SEPTEMBER 26, 1997
	TOTAL ARREARS	\$8,212.15

The Corporation of the City of Hamilton

By-law No. 97-179

Respecting:

MUNICIPAL ELECTION MATTERS

WHEREAS Section 8 of the Municipal Elections Act, 1996 authorizes a municipality to pass a by-law to submit a question not otherwise authorized by law, but within the Council's jurisdiction to its electors;

AND WHEREAS Section 43 of the Act authorizes a Council to establish the times and dates for advance polls;

AND WHEREAS on October 8, 1996, Council requested a question regarding the location of a provincially run casino be placed on the ballot for the next General Municipal Election;

AND WHEREAS City Council, on August 26, 1997, in adopting Section 20 of the Nineteenth Report of the Finance and Administration Committee, authorized this By-Law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The following question is authorized to be placed on the ballot for the November 10, 1997 Municipal General Election:

"Do you agree to a provincially run casino in the City of Hamilton?"

2.
 - (1) The advance poll voting dates shall be November 1, 1997 and November 5, 1997.
 - (2) The advance polls shall be open from 10:00 a.m. to 8:00 p.m. on each advance polling day.

PASSED this 26th day of August , 1997.



ACTING CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-180

To Amend:

By-law No. 85-148

Respecting:

THE CONTROL AND LICENSING OF DOGS

WHEREAS By-law No. 85-148 was enacted on July 30, 1985 to regulate the control and licensing of dogs within the City;

AND WHEREAS paragraph 10 of Section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes a municipality to enact a By-law requiring the muzzling or leashing of a dog after it has bitten a person or a domestic animal, subject to the dog owner's right to appeal the muzzling or leashing Order;

AND WHEREAS City Council, on August 26, 1997, in adopting Section 28 of the Nineteenth Report of the Finance and Administration Committee, authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Section 5(a) of By-law No. 85-148 is repealed and the following is substituted

"5. (a) Every dog owner shall provide a restraint or enclosure for the purpose of confining the dog to the premises of the dog owner."

2. By-law No. 85-148 is amended by the addition of the following Section:

"6. (b) (1) Despite any other provision of this By-law,

(i) where the Operations Manager of the Hamilton Society for the Prevention of Cruelty to Animals has reason to believe that a dog has bitten a person or a domestic animal, the Operations Manager shall serve a notice upon the owner requiring the owner to muzzle the dog, except when the dog is on the premises of the owner;

(ii) the notice shall be served on the owner in the same manner as the notice of hearing may be served under subsection (2)(b);

(iii) upon the service of the notice, the owner shall muzzle the dog except when the dog is on the premises of the owner."

(2) Where the Operations Manager has reason to believe that a dog has bitten a person or a domestic animal, he or she shall, if requested by the owner, hold a hearing under the Statutory Power Procedure Act, to determine whether the dog has bitten a person or a domestic animal;

- (3) Prior to holding the hearing, the Operations Manager shall,
 - (a) cause a notice of hearing to be served on the owner;
 - (b) the notice of hearing may be served on the owner by the Operations Manager by handing it to the owner, but where the notice of hearing cannot be given or served by reason of the owner's absence from his or her premises or by reason of his or her evading service, the notice of hearing may be given or served by,
 - (i) handing it to an apparently adult person on the owner's premises; or
 - (ii) posting it up in a conspicuous place upon some part of the owner's premises; or
 - (iii) sending it by prepaid registered mail to the owner at the address where he or she resides and it shall be deemed to have been received by the person to whom it was addressed on the fifth day after the day of mailing.
- (4) The notice of hearing shall include a statement,
 - (a) of the facts which lead the Operations Manager to believe that the owner's dog has bitten a person or a domestic animal;
 - (b) setting out the time and place at which the Operations Manager will hold a public hearing to determine whether the dog has bitten a person or a domestic animal and whether or not the dog shall be exempted from the muzzling requirement;
 - (c) that if the owner does not attend the hearing, the Operations Manager may proceed with the hearing in the absence of the owner, and the owner will not be entitled to any further notice in the proceeding.
 - (d) that the Operations Manager shall also cause a notice of hearing to be served on the person bitten by the dog or the owner of the domestic animal bitten by the dog in the same manner as the notice of hearing may be served under subsection (2) with necessary modifications.
- (5) The owner may, if he or she wishes, be represented by counsel or an agent at the hearing and shall have the right to adduce evidence and to submit argument to show that the dog has not bitten a person or a domestic animal or to exempt the dog from the muzzling requirement, or both, and to cross-examine any witness adverse in interest to the owner, and in the event that the owner's dog is not exempted from the muzzling requirement, the Operations

Manager shall, at the request of the owner, deliver written reasons for his or her decision.

- (6) At the hearing, the Operations Manager shall consider all of the evidence and shall make a declaration that the dog of the owner,
 - (a) has bitten a person or domestic animal or has not bitten a person or domestic animal; and
 - (b) shall be muzzled, except when on the premises of the owner, or shall be exempt from the muzzling requirement.
- (7) In addition to the notice of decision required under Section 18 of the Statutory Powers Procedure Act, a copy of the declaration shall be served on the owner by the Operations Manager in the same manner as the notice of hearing may be served under subsection 2.
- (8) Every person who keeps a dog which requires muzzling under this section shall immediately notify the Operations Manager after he or she has transferred the ownership of the dog to any other person or has begun keeping the dog at a new location."

3. Section 31, is repealed and the following is substituted.

"31. Any person who contravenes any part of PART 1 is guilty of an offence and, upon conviction, is subject to the Penalties specified by Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended."

4. Section 33 is deleted and the following is substituted.

"33. Every person who owns or operates a kennel and every person, other than a dog owner, who contravenes any provision of PART 3, is guilty of an offence and upon conviction is liable to the Penalties specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended."

PASSED this 26th day of August, 1997.

D. M. Hollard

ACTING CITY CLERK



[Signature]

MAYOR

BY-LAW NO. 97 - 181

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 26th DAY OF AUGUST, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

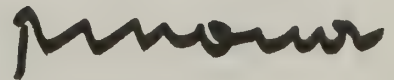
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 26th day of August 1997



ACTING CITY CLERK



MAYOR



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-182

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 4 (Highways Designated For Use By Heavy Traffic)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Grays Community Francis 7:00 a.m. - 7:00 p.m."

2. That **Schedule 10 (Stops at Intersections)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Adair	Northbound and Southbound	Central
Chelmsford	Northbound	Kentley
Dunsmure	Eastbound and Westbound	Garfield
Ottawa	Northbound and Southbound	Justine
Bastille	Northbound	Brigade
Brigade	Eastbound and Westbound	Bastille
East 43rd	Northbound and Southbound	Tenth
Massena	Northbound	Byng
Byng	Eastbound and Westbound	Massena
Rexford	Eastbound and Westbound	Alconbury
Locke	Northbound and Southbound	Peter
Oakdale	Eastbound	East 43rd
Cellini	Southbound	Eaglewood

Lawrence (West Leg)	Northbound	Neil
Jeremy	Northbound	Lorenzo
Sheridan	Eastbound	Lower Horning
Annapolis	Westbound	Acadia
Acadia (north leg)	Eastbound	Acadia."

3. That **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Mountville South Upper Wellington to 58 feet east Anytime."

and by deleting therefrom the following item, namely:-

"Brantdale North From 100 ft. west of West 2nd to 137 ft. east of West 2nd Anytime."

4. That **Schedule 35 (Wheelchair Loading Zones)** of said By-law be amended by adding thereto the following item, namely:-

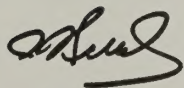
"Park Row East 29 feet 164 feet south of Cannon Anytime."

5. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

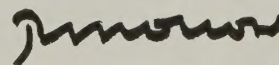
PASSED this

30th day of September,

1997.



CITY CLERK

MAYOR

1. The first part of the report is a general statement of the purpose and scope of the study. It is followed by a brief review of the literature on the subject. The second part of the report is a description of the methods used in the study. This includes a description of the subjects, the materials, and the procedures. The third part of the report is a presentation of the results of the study. This includes a description of the data and a discussion of the findings. The fourth part of the report is a conclusion and a list of references.

The results of the study show that there is a significant difference between the two groups. This difference is most pronounced in the first part of the study. The findings of the study suggest that there is a need for further research in this area. The conclusion of the study is that the results of the study are consistent with the hypothesis. The references listed in the report are as follows:

The study was conducted in a laboratory setting. The subjects were all male and were between the ages of 18 and 30. The materials used in the study were all standard laboratory equipment. The procedures used in the study were all standard laboratory procedures. The results of the study are presented in the following table:

The data in the table show that there is a significant difference between the two groups. This difference is most pronounced in the first part of the study. The findings of the study suggest that there is a need for further research in this area.

The study was conducted in a laboratory setting. The subjects were all male and were between the ages of 18 and 30. The materials used in the study were all standard laboratory equipment. The procedures used in the study were all standard laboratory procedures.



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